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HOUSE OF REPRESENTATIVES

SELECT COMMITTEE ON THE RECENT AUSTRALIAN BUSHFIRES

Reference: The recent Australian bushfires

TUESDAY, 15 JULY 2003

CANBERRA

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HOUSE OF REPRESENTATIVES

SELECT COMMITTEE ON THE RECENT AUSTRALIAN BUSHFIRES

Tuesday, 15 July 2003

Members: Mr Nairn *(Chair)*, Mr Adams *(Deputy Chair)*, Mr Bartlett, Mr Causley, Ms Ellis, Mrs Gash, Mr Gibbons, Mr Hawker, Mr McArthur, Mr Mossfield, Mr Gavan O'Connor, Mr Organ, Ms Panopoulos and Mr Schultz.

Members in attendance: Mr Bartlett, Ms Ellis, Mr Gibbons, Mr McArthur, Mr Mossfield and Mr Nairn

Terms of reference for the inquiry:

The Select Committee on the recent Australian Bushfires seeks to identify measures that can be implemented by governments, industry and the community to minimise the incidence of, and impact of bushfires on, life, property and the environment with specific regard to the following.

(a) the extent and impact of the bushfires on the environment, private and public assets and local communities;

(b) the causes of and risk factors contributing to the impact and severity of the bushfires, including land management practices and policies in national parks, state forests, other Crown land and private property;

(c) the adequacy and economic and environmental impact of hazard reduction and other strategies for bushfire prevention, suppression and control;

(d) appropriate land management policies and practices to mitigate the damage caused by bushfires to the environment, property, community facilities and infrastructure and the potential environmental impact of such policies and practices;

(e) any alternative or developmental bushfire mitigation and prevention approaches, and the appropriate direction of research into bushfire mitigation;

(f) the appropriateness of existing planning and building codes, particularly with respect to urban design and land use planning, in protecting life and property from bushfires;

(g) the adequacy of current response arrangements for firefighting;

(h) the adequacy of deployment of firefighting resources, including an examination of the efficiency and effectiveness of resource sharing between agencies and jurisdictions;

(i) liability, insurance coverage and related matters;

(j) the roles and contributions of volunteers, including current management practices and future trends, taking into account changing social and economic factors.

WITNESSES

Committee met at 9.02 a.m.

LAWLER, Sir Peter (Private capacity)

CHAIR—I declare open this public hearing of the House of Representatives Select Committee on the Recent Australian Bushfires. Today's hearing is the sixth of the inquiry, and it follows the hearing we held yesterday here in Canberra and hearings last week in Nowra, Katoomba, Richmond and Cooma. Before the hearing started yesterday, I placed on the record our thanks to those who were involved in the committee's inspections on Friday. For the benefit of anyone who was not present yesterday, I would like to reiterate the committee's appreciation of that assistance. Welcome. Would you care to make an initial comment?

Sir Peter Lawler—I come as one whose Duffy home and contents, along with two motor vehicles, were completely destroyed in the January 2003 bushfires. My recovery task force number is DUFF/699.

CHAIR—Although the committee does not require you to give evidence under oath, I should advise you that these hearings are formal proceedings of the parliament and consequently they warrant the same respect as proceedings of the House itself. It is customary to remind witnesses that giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament. We do not have a formal submission from you, but you have provided a copy of a submission you made to another inquiry. We thank you for that. Would you like to make some opening remarks? I will then give the committee an opportunity to ask questions.

Sir Peter Lawler—I am grateful to have been invited to appear before your committee and I salute your remit, as I feel that it is an extremely important one. Mr Chairman, you have mentioned that you have a copy of my submission. It is a submission to the McLeod inquiry, the ACT government inquiry into the operational response to the bushfires. But, because of the degree of commonality of subject matter, I thought it proper to send copies of that submission for information and record to your committee and to the ACT coronial inquiry, and I have done so.

My submission to the McLeod inquiry concerns the Canberra scene and principally the failure of responsible authority to provide on 18 January a timely and effectively delivered response and warning to households likely to be threatened by the oncoming bushfires—a warning to be ready to evacuate. I have recognised other wider issues, but I have not attempted to canvass them. Some of them are amongst the matters that are very much the concern of your committee. I mentioned those wider issues on the first page of my submission to the McLeod inquiry and I refer to them again on its final page.

You will see that I have summarised how 18 January played out for my wife and me and our overseas guest at No. 32 Eucumbene Drive, Duffy. I have done this in order to illustrate how, until the very last minutes, we remained in the dark about the level of threat to our lives and property. In the light of that, I pose a series of questions seeking an understanding of exactly how this failure to warn occurred and what might be done to strengthen administration and governance, with regard to bushfires or any other area of basic community care, to avoid a repetition of a melancholy sequence such as wrought havoc in our lives in January.

I await with interest the findings of the McLeod inquiry, of your committee, of the coronial inquiry and of other inquiries that are concerning themselves with this whole issue. If you wish me to elaborate on any aspect of my submission, I am willing to respond as best I can. At some point I would like to make a brief reference to a *Canberra Times* report about evidence given yesterday by CSIRO, but I shall leave that for the moment.

CHAIR—I was going to open with that question, so perhaps you could do that now. The evidence given yesterday by CSIRO was that houses burnt from ember attack. Would you like to comment on that particular evidence?

Sir Peter Lawler—Thank you. I read with some interest the article under the heading 'CSIRO blames embers for Duffy destruction'. It was hardly ever likely that anything else but embers would cause the destruction of houses in Duffy. I interpose that I make these observations with some diffidence—one confronts scientific opinion with some diffidence—but I make them as a former member of the CSIRO advisory council of years ago and I hope CSIRO will allow me the privilege of comment. The article talks about the separation distances between the main forest fuel and the houses. It also talks about the lack of specific design requirements to prevent embers from entering the structures. It goes on to say:

In all the research done in post-fire surveys, we have not found a house that was lost if people were there to put out the embers and spot fires ... the houses that get lost are generally empty ...

I can point to half a dozen houses representing the cluster in which our house was: 32, 34 and 30 in Eucumbene Drive; and three houses in Tullaroop Street, the numbers of which I do not know.

CHAIR—Is that the street at the rear of Eucumbene Drive?

Sir Peter Lawler—That is the street at the rear of our place and roughly parallel with Eucumbene Drive. Three of those houses had people in attendance seeking to save them and to save adjoining houses. I have spoken with those people and it is quite clear that a whole raft of factors affect the loss of a house. We left, admittedly, before the house caught fire, but my son remained on in an attempt to save it. I am told that water pressure failed. I am told also that there was an official vehicle with a loudhailer calling on people to evacuate immediately. At that point perhaps it was judged that any attempt to save the houses would be only at the risk of life and limb.

In my submission I touch on this as one of the general issues which I do not attempt to canvass, but it certainly is an issue—that is, advice and help on fireproofing houses and marshalling and managing adequate resources, including volunteer resources, for the defence of homes when the threat is immediate. I am not quite as agile as I used to be, and ours was a two-storey house. My ladder was on loan to a member of the family, but I would not have fancied myself as being charged with extinguishing embers which were coming in such a shower at that time that I think any attempt would have probably been pretty futile. I do know of one or two places that were saved by the people who were there; they were younger and more agile and perhaps faced a lesser shower of embers.

CHAIR—What age was your house?

Sir Peter Lawler—It was built in 1972 and was formerly owned by the Reserve Bank of Australia. They put in a lot of improvements, but apparently fireproofing—if fireproofing could have prevented the calamity—was not addressed; nor was it, I suppose, in the minds of people that it should be addressed.

CHAIR—When did you leave your house to your son to try and save it?

Sir Peter Lawler—It was some time after 3 o'clock that afternoon. We had a visitor from overseas—from Hong Kong, in fact—who was an elderly lady on a walking frame, which presented a problem. We escaped in our son's motor car while he remained on to try and save the house. We had about 15 minutes warning, I would say. With the pressure of the moment, of course, you have to be a little careful about trying to be too precise about times.

CHAIR—How long did your son stay on?

Sir Peter Lawler—He stayed only for some minutes and then judged that the avalanche of embers and sparks that were coming over made it impossible to save the house. In addition there was a call from the street, from the car that was patrolling, to evacuate immediately. His judgment was that he should, lest he might lose his own life.

Ms ELLIS—Thank you so much for coming in this morning and talking to our committee. Suffice it to say that as a local—although not a Weston Creek local—the accounts given to me about the ember attack, particularly in the more frontline areas of Duffy and Chapman, have described it to me as being like a normal hailstorm only red and hot. We are not talking about the odd floating bit of burning leaf; we are talking abut an absolute avalanche of red embers. So I can fully understand, if the descriptions I have had are correct, why people like your son made the decision to move when they did.

Many people like you are in this terrible situation and I am sorry for the property loss and the trauma that you have gone through. You have made some comments in your submission to the other inquiry which I think gets to the point. There is definite criticism and comment about the response by emergency services in different parts of the urban part of Canberra, the inadequacy in some areas and the adequacy but futileness in others. It is a little bit mixed. Given that we have the police, ambulance and the urban fire authorities, ESB at Curtin and a range of people involved, do you have a view as to how it could be better arranged and where the responsibility should lie? Have you thought about that?

Sir Peter Lawler—I have thought about it but I would be hesitant to proffer a view beyond to say that there needs to be clarity of command and that there needs to be a clearly understood allocation of functions that are going to be called on to reply to an emergency of this kind. The thing to be avoided at all costs is incoherence and confusion. But I pass no judgment—nor do I in my submission. I am seeking only to find my way to the truth.

Ms ELLIS—You and many of us alike. I look forward to the day when we reach that point. To take the discussion in a slightly different direction, we are hearing a lot about responses and what happened from 8 January. As important as that is, from the urban Canberran point of view we are now in a situation where people are attempting to decide what they are going to do about their future—their rebuilding, sorting through the insurance situation and all those sorts of

things. I would really value your comments on that because that is an important part of inquiry as well. With your privacy perfectly safe, are you in a position to tell us where you stand in relation to those issues? Are you going to be rebuilding in Duffy? What sort of considerations are you going through with that? We have had some comments from one particular witness yesterday that insurance should be compulsory, that any ex gratia should go to the fully insured and not to the uninsured or underinsured. I was wondering what your view is about these sorts of issues, because they are very vexed for the community at the moment.

Sir Peter Lawler—I think that you are correct in identifying them as very vexed. We have thought a good deal about it and some things emerge pretty clearly. One is that underinsurance is a real problem. Another thing that emerges is the complexity of the planning considerations that enter in. We have looked at rebuilding; we have proceeded to some plans but have drawn back from rebuilding for a number of reasons, one of which is age—but we do not place too much emphasis on that.

Ms ELLIS—As shadow minister for ageing, I am really glad to hear you say that. But that is a factor, isn't it? The important thing for the committee to get in its mind is that Sir Peter's house is 31 years old and the majority of the housing in that area is of that era. The majority of those who live in them have never built a house—they may have bought a house but in many cases they have never built one. A large number of residents are older rather than younger. The question is, to what degree are you prepared to go through the trauma of building a house? I could not think of anything worse myself—in any circumstances.

Sir Peter Lawler—We do not quail from the trauma. Indeed, it is quite fun. It is a challenge. It keeps the cerebral processes going, and that is supposed to be good for one. But many considerations have to be weighed. The location in Duffy is a fine one. There are beautiful views down the valley. It is a nice environment with nice people. We liked it very much.

Ms ELLIS—How long were you there?

Sir Peter Lawler—We were only there for four years, but we enjoyed it.

Mr BARTLETT—Thank you for coming in this morning, particularly given the difficulty of the circumstances that you face even this long after the fires. You mention in your submission that inadequate warning was given by the ACT fire authorities about the magnitude of what was about to hit Duffy, that inadequate procedures regarding evacuation instructions were in place and that there was a lack of clarity and of communication. You also make the point that the ACT could learn from the New South Wales authorities, in that the New South Wales authorities seem to have procedures and structures in place that enable them to communicate much more effectively. Could you please elaborate on that for us?

Sir Peter Lawler—That observation derives from hearing, I think on a television program, about the procedures which they adopt when areas are threatened—namely, that they make quite sure that each household in the area is warned in due time. I imagine there are situations when that does not work out, but that seems to me to be a pretty good procedure and a pretty protective thing to do. If we had had a few hours warning, we could have saved archives and library resources which are irreplaceable and which were scheduled to go to the National Archives. That is a great pity, but these things happen. There needs to be a well-established, well-understood

and effective procedure for informing threatened households, because lives and property can depend on it.

Mr BARTLETT—Are you aware of any moves being made by ACT authorities to consult with New South Wales regarding New South Wales procedures and how the ACT could learn from those?

Sir Peter Lawler—I am not informed about that at all, but it is one of the questions which I raise in the series of questions I pose in the paper.

Mr MOSSFIELD—I do not think there is any doubt that we all believe now that things should have been done better. There is no question about that. Just to canvass a couple of views, one of the things that the committee was made aware of when we looked at the Mount Stromlo Observatory disaster was that the damage seemed to be done by the fires getting into the structure and then burning out. It was a fairly strong outside structure. Is there value in people, subject to their fitness and willingness, staying at their properties as long as possible to protect them rather than receiving an early warning, where they would leave but then might find that they could have saved their properties?

Sir Peter Lawler—I imagine that there should be clear procedures and advance preparation so that people know exactly what they should do, and I think early warning enters into it. An early warning can be accompanied by some instructions about whether you make sure of your water supply, whether you plug up your gutters and fill them with water, whether you remove certain hazards from around your house and all that sort of thing. I think it is something that has to be carefully designed, supervised and controlled by the people who have a close, continuing and expert knowledge about the handling of fires and have the authority and responsibility in that area. That is my view. But, as I said earlier, I am simply here questing for information and trying to understand in order to pave the way to a strengthening of governance in the future so that these sorts of situations can be avoided, or at any rate ameliorated.

Mr MOSSFIELD—I agree with you. I think that is what we are all trying to achieve. I suppose there has to be a bit of investigation into it to see why it happened, and then the emphasis should certainly be on putting out instructions to stop this happening. Is it reasonable to expect the authorities to have been prepared for an event of such unexpected and unpredictable magnitude? I say that because one person we interviewed at Duffy said that they went camping on the Saturday morning and, while there was a bit of concern, it was not concern enough to stay. There was no indication whatsoever, in their view. I wonder whether we could have expected the authorities to be as prepared as we would have liked them to be in view of the quickness of the fire coming in on the suburbs.

Sir Peter Lawler—I would have hoped that there would have been a better performance on early warning. Twelve months ago, or back at the end of 2001, there was a fire in the Stromlo Forest. We got warnings at that time. Indeed, we were ready to evacuate. We had packed certain things into our motor vehicles. It is hard to say whether the expectation of better early warning that we have is justified because, as I pointed out in the paper, all sorts of things can intervene. Happenstance occurs. I am told that Napoleon lost the battle of Waterloo, or at any rate was rendered less effective at Waterloo, by happenstance that hit him on the morning of Waterloo.

But this is something that I would hope the analysis would make clear, or at any rate considerably clarify.

CHAIR—To go back to one of the issues that Annette Ellis raised—and I do not want you to necessarily divulge personal circumstances—what are you finding with respect to insurance? This is a matter that the committee might have to look at carefully. You are going through the process of looking at whether you might rebuild. Is your insurance coverage adequate, or have you found aspects in the insurance policies that have surprised you in now trying to deal with this disaster?

Sir Peter Lawler—We commend very much the efforts of our insurer, which happens to be NRMA. We have nothing but praise for the way it handled the situation in the aftermath of the calamity. But we have found in our process of looking at rebuilding that there has been quite an increase in cost. We based our insurance on a figure of $1,000 per square metre. This was a figure that was given to us. We cannot rely in blaming the figure that was given to us, as it is on the individual to satisfy themselves that they have the right figure. But we are now finding that the replacement building would cost $1,400 or $1,500 per square metre—an increase of 40 or 50 per cent. This is a somewhat slippery thing, because the square metre cost that you end up with depends on what you put into your house. However, we are now told by architects and others that putting back a house such as we had could cost $1,400 or $1,500 per square metre. That, of course, is a painful discovery.

Ms ELLIS—With your indulgence, Mr Chair, could I share some local knowledge with you and Sir Peter. People in my community have been telling me that they have been getting quotes for rebuilding and the quotes have varied from $1,000 to $2,500 per square metre on the one building. It is something that I am extremely aware that the ACT authorities are very concerned about and the government is trying to grapple with locally. They do not know what they can do about it at this point. The other comment I would put with that is that some of the peak building organisations say, 'But that is because you have either a kit home, a project home or an architecturally designed home, with cedar or aluminium windows,' for argument's sake, but the point coming out from the community very loudly is that they could go to several builders with the one design and get a variance to that degree. Sir Peter, I think that is what you are emphasising as well.

Sir Peter Lawler—Yes.

CHAIR—That certainly is a difficult issue for many people to grapple with. It brings into debate the whole issue of insurance. It seems that when you insure other products it refers to replacement values, and often that means a different figure to what people originally believe they were being insured for. I thought I would get that insight as part of it.

Ms ELLIS—Could I ask another question on insurance. Sir Peter, did you have any problems or queries around the public liability aspect of insurance on the house following the fire?

Sir Peter Lawler—Not really. There was a little bit of a question about whether public liability insurance cover would continue, but in the end that was sorted out quite satisfactorily.

Ms ELLIS—You did not have a swimming pool in the backyard?

Sir Peter Lawler—No, I avoid swimming pools at all costs.

Ms ELLIS—After those fires, I would imagine that a lot of people might. Again, with your indulgence, Mr Chair, as I understand it, public liability in many cases is attached to the contents insurance policy. I am happy to be corrected on this. Some people who had been burnt out had pools, with water still in them, in their backyards. Everything around them had gone and the pools were an open threat. There were huge questions about how to drain them in the meantime and how to have public liability against any accident or damage from them. I am wondering if you had a similar experience.

Sir Peter Lawler—No, we managed to resolve the public liability insurance issue—

Ms ELLIS—Fairly quickly.

Sir Peter Lawler—pretty satisfactorily early on. We had to give attention to it and there was a bit of toing-and-froing with the insurance company but, in the end, it was sorted out.

Ms ELLIS—Good. Good luck with wherever you end up settling on.

Sir Peter Lawler—Thanks very much.

CHAIR—Thank you very much, Sir Peter, for passing on the copy of your submission to the McLeod inquiry and for coming here this morning.

Sir Peter Lawler—Thank you very much, Chairman, and I thank the members of your committee.

CHAIR—The committee is becoming more and more aware of the impact these fires have had on individuals and we really do appreciate hearing about your experiences.

[9.36 a.m.]

SMITH, Mr Peter Anthony (Private capacity)

CHAIR—Welcome. Do you have anything to add to the capacity in which you are appearing?

Mr Smith—I am appearing as a private individual who was very closely involved in the events in the Brindabella region for the whole of the period of the fires from 8 January.

CHAIR—Thank you, Peter. You heard this morning and yesterday the preliminaries which I have read, so I will not repeat that for you. We have your submission and attachments, which are published on the record and are part of the evidence that we will use. Would you now like to make a brief opening statement before the committee asks some questions.

Mr Smith—Thank you for the opportunity to speak to this inquiry, which I think is the first one which is, if you like, taking a national approach to something that is in fact a national phenomenon. It is perhaps rather strange that it has taken so long for this to happen. If you think back, every state has had its disastrous fires—the Hobart fires and the fires in the Otway Ranges and the Adelaide Hills. Often these fires have happened in an area where people probably did not ever think they would. Look at what happened at the Otway Ranges: it is kind of a rainforest.

I believe your inquiry is the place where politics and science meet and have to meet. I have appreciated the bipartisan way in which your committee is rigorously looking at the evidence that has been presented and, indeed, there is a lot of it. The scientific method is where we make observations and hypotheses and we test them. In a sense, that is what you are doing here. I think it is a pity that the technical arms of some of the involved governments are not here because they have such an immense contribution to make in terms of data which they have. Indeed, I had hoped that the kind of information that you have would come out of formal debriefing processes that the fire services themselves had, and I will talk about that later. Unfortunately, that does not happen I suppose just because of time. It is something that needs to be looked at very carefully.

You will be having submissions from two people today who would appear from their submissions to have been very frustrated in carrying out the duties in their particular services—albeit, one of them with much more experience than me. It has been my experience over the years that high levels of frustration lead to bad decisions—to things not happening that should happen. So there are human factors in here that I think impinge very much on what we have to look at. The approach I will take today is to attempt to achieve that objectivity of not dwelling on the frustrations, and trying to eliminate the benefit of hindsight in the sense of saying 'I would have done that had I been in charge.' Hindsight will teach us the lessons that will prevent this. I believe this kind of event is unlikely to happen again because the evidence is there, the scientific expertise is there, and there are ways we can prevent such a thing happening again. I would like to start by looking at the lead-up to this event. I think that might answer some of the questions that were raised yesterday in terms of the climate and the setting for that event. In doing that, I would like to make an overhead presentation.

Overhead transparencies were then shown—

Mr Smith—The question was raised yesterday, by Mr Mossfield I think, as to whether the conditions leading into this event were unusual—whether there was indeed a drought or not. I hope I can throw a little bit of light on that. Dr Will Steffen, who is working with the International Geosphere-Biosphere Project—and is at the leading edge of the science of climate change—has kindly given me some of this information. The first map shows rainfall deficiency in the 10 months before this event. The deepest colour on the slide represents the lowest on record. The Canberra region does not quite fall into that, but the next level is 'serious deficiency'. There can be no doubt that the climatic conditions preceding this event were indeed one of drought—and a long drought.

Another relevant feature of the climate is that, for the three months leading up to this event, the average temperature was some three degrees higher than normal. You will see that the Canberra region falls right into the middle of the worst level of, if you like, excess of temperature for that period. A factor that is extremely important for fire behaviour is humidity. The particular map that I am displaying at the moment shows the humidity deficiency in the month leading up to this event. You will notice there is an extreme humidity deficiency in the Canberra region. Indeed, the setting for this event is a disaster waiting to happen.

Just to get the locality setting, I have here a Landsat image which shows the area we are talking about both before and after the major fire. I will talk about the effects later and just give you the orientation now. The Brindabella Valley is there to the west of the ACT, and you can see Lake Burley Griffin, the Murrumbidgee River and the Goodradigbee River quite clearly on these images. The image here shows the Brindabella Range, which is the border between the ACT and New South Wales. The Brindabella Range is one of the highest mountain ranges in Australia, with several peaks over 6,000 feet and relief of over 3,000 feet. Nowhere in Australia do you get much greater relief than that. That is very important for fire behaviour, and I will discuss that later.

Altitude has an important bearing on the way fires behave, because at high altitude, particularly at night and even in summer, the temperatures are much cooler and the condensation is higher. Fire behaviour at heights over 4,500 or 5,000 feet at night is quite different to that which you would expect to find in the Blue Mountains, down the coast or in other places. People who are used to fighting fires at those kinds of altitudes know the way they behave and know that they typically behave quite differently to fires at lower altitudes. That is very important in terms of the consideration of how you respond to a fire. You have to think about the mind-set of people who might come from elsewhere and who are used to fighting fires in different situations—if you were sitting 50 kilometres away from that fire, the considerations you would have in your mind for the safety of people working up there might differ from the reality if you were out there on top of the hill.

CHAIR—Just before you take that slide off, Peter, could you indicate for the committee if it covers the approximate locations of the initial fires that were started?

Mr Smith—I have another slide which would better show that. Just for orientation, I am showing a map of the Brindabella area to the west of the ACT. There is the border following the Brindabella Range and there is the Goodradigbee River, and you can see the Brindabella Road that runs from Canberra across to Tumut through the Brindabella Valley. The Fiery Range is to the west of Brindabella Valley, and Brindabella Range is to the east.

Just for clarity, I will show another version of that map which shows the ignition points for the fires that began from lightning strikes on 8 January. With a view to your comments about the accuracy of my submission, Mr Chair, I should change the nine fires to eight in my introductory statement. There were indeed eight fires that started on 8 January around the Brindabella Valley, to the west and south-west of Brindabella—the Broken Cart fire, a fire at Princess Flat, a fire near Mount Vale, a fire near McIntyre's Hut to the north of Brindabella, a fire on the Baldy Range to the north, a fire near Bendora Dam, a fire near Mount Ginini—the Stockyard fire—and a fire close to Mount Gingera. So that is the setting on 8 January for our area. It was a frightening setting for our residents for the simple reason that it does not matter which way the wind blows when you have fires all around you. At Brindabella it was not a question of if our properties would be threatened; it was a question of when and from where.

People in Canberra are quite used to a bit of smoke out in the hills on the Brindabella Range. It is not unusual to have fires out there. Normally when you look out there from Canberra, you see some smoke and it even becomes a nuisance if the wind blows, as it usually does, from the west. However, for six days after this ignition, the winds were generally easterly. They blew the smoke away from Canberra, so for people in Canberra there would be no imminent sense of danger. The hills out there would look pretty normal. There might be some smoke, but there would be no sense of a major disaster brewing at that stage.

Ms ELLIS—Where you have got the arrow pointing to Canberra, what distance is that roughly as the crow flies?

Mr Smith—Maybe 25 kilometres.

Ms ELLIS—Thanks.

Mr Smith—I have looked at the situation leading up to this event. I will deal with the weather on the day, but, remember, we have to look at this thing in two parts—the ignition on 8 January and the 10 days leading up to 18 January when indeed the weather was about the worst scenario that you could expect. The weather pattern predicted for 18 January shows the juxtaposition of a low and a high pressure with our area right between them, which inevitably was going to lead to high temperatures and high wind speeds. I understand that the Bureau of Meteorology contacted the RFS—and this is not usual—and explained their findings. They use several models for weather prediction—I think there are three of them—and rarely do they all agree. They might roughly agree or maybe two will agree. On this occasion, the three of them agreed and it seemed that there was no doubt that Saturday, 18 January, was going to be a day of extreme fire danger. Indeed, that came to pass.

You can see that the parameters for that day show that the temperature was very high at 37 degrees. The humidity dropped dramatically. The humidity on this day was much, much lower than we normally experience. The barometric pressure dropped at around four or five o'clock. This is when things were really going berserk, and the wind speeds were very high. If this had happened maybe two hours earlier, I think the loss would have been even greater.

I was reminded, while Sir Peter was talking and the issue of warnings came up, that there were no warnings. There were warnings well ahead. People who had investigated this had predicted that, under heavy fuel loads in the ranges and with those kinds of weather conditions, fires would

impinge on Canberra's suburbs. There was a press release—I do not have it here but I will get it for you—from the Rural Fire Service preceding this event, that, to my memory, used these words: 'The fire is likely to impinge on Canberra suburbs'. I just put that in because of Sir Peter's remarks about the warnings.

In making a submission where there are so many observations and factors to consider you have to work out how the hell you are going to pull it together. I think one way is to look at contributing factors, and I think I will conclude my opening remarks by talking about the environmental factors. These are the factors that are beyond human control: the climate, the weather and those kinds of things. You can break it up into environmental factors and human factors. In my submission, I have come to the conclusion that the cause of the fire—if there was a single cause—was undoubtedly lightning strikes. The cause of ignition was a lightning storm—those of us who were their witnessed that happening.

The cause of the firestorm, as I have argued, was the combination of extremely high fuel loads of a very combustible type with a going fire and extreme weather conditions. Had there been no fires burning on 18 January, it is quite likely that there would have been no fire at all. I remember very distinctly Ash Wednesday at Brindabella and praying that not even the slightest spark would light. The conditions on that day in our valley were absolutely atrocious. It probably felt worse than on Saturday, 18 January 2003. You have got to have a fire for this happen. Unfortunately, we had all the factors that you need for a catastrophe. I believe it was the worst catastrophe both in fire terms and property terms—not so much in terms of loss of life, thank heavens. It could have been much worse. It is hard to know why it was not.

The question then is, could it have been stopped? I have argued in my submission that I believe that it could have been. That leads me to the conclusion that although we know clearly what the environmental factors were, it was really human factors that allowed this thing to actually happen. I believe it was stoppable—I would love to be proved wrong; I would get more sleep at night. Mr West's comments on his local captain are a very salutary reminder of the importance of communication at all levels. Lack of communication can very easily be seen—for whatever reason—as arrogance and not caring. We must remember that.

If my conclusion is right—that indeed these fires could have been stopped—and if the human factors are the reason, we need to be able to work those out and try to make sure it does not happen again. If it comes down to the fact that—like the leaf that fell on the mountain range and diverted the whole river—the fire was caused by two officers in the same team not being able to communicate, that is a deep worry. Could I just make one observation on the firestorm behaviour itself very briefly?

CHAIR—Okay. I think we will draw a lot of these things out in questions as well.

Mr Smith—We could come back to these if you like.

CHAIR—That is all right.

Mr Smith—In the course of this I was able to make detailed observations which I think might be pertinent. Of course, CSIRO—Mr Cheney and people like that—will, I am sure, be working on this. But, from my observation, we have to make a very clear distinction between a bushfire

and a firestorm. They are totally different phenomena. In looking at this, my training as a geologist led me to think that the behaviour I was looking at had similar characteristics to things like avalanches, mud flows, volcanoes and turbidity currents. In other words, it was like a density flow.

Very briefly, normally the equation is oxygen, fuel and temperature. You have to have all of those things to have a fire. We normally say that the only thing we can control is the fuel. I believe that to be true. You certainly cannot control the temperature or the oxygen. We normally argue that the supply of oxygen is unlimited. It is my observation—and it is certainly yet to be tested—that, when there is such an amount of fuel, the situation on steep slopes on high terrain plus all of the conditions we looked at before mean that the intensity of the fire is such that there is not enough oxygen to actually burn everything.

The unburnt fuels that we are looking at are the volatile gases, the oils and, from the heating of the wood, pulverised carbon, which, in the immense turbulence which happened here—we were looking at over 100 metres of turbulence—meant that there was not enough oxygen to burn all that fuel, and so it was rapidly propelled upwards by the heat energy from the fire. In Canberra on 18 January you probably did not see it because you were under it, but in Brindabella it did look like it was described yesterday: to all events it looked like an atomic bomb had gone off in Canberra.

There would be many tonnes of unburnt fuel mixed up with this. It is clearly much denser than air. When it gets high into the atmosphere it cools and it then collapses back down, and you have a huge volume of gaseous fuel with particulate matter in it which descends with enormous force. I think the terrain will be proved to be also a contributor, such as the large basins at Tidbinbilla and Condor Creek. If those large volume masses of higher density air with fuel came down with an almighty rush, you would get enormous winds created just by that alone, plus we also had strong winds that day.

The observation in the field was that these fires were not burning on the ground. You will have seen on your travels that these fires travelled over kilometres of ground that was like this with the odd tree. In watching this actually happen, as it did at Brindabella, the fire was not burning on the ground; it was burning on top of the gas. Wherever that interface hit anything that was combustible, it simply literally exploded. With properties like Huntly, for instance, which I think you have seen, can you imagine how something like that—this was not a fire—could have come across all that open country and done what it did there in such a short time? That is an observation, because people were asking yesterday about firestorm behaviour. I will conclude there.

CHAIR—Thank you for that introduction and the information you have shown us on the overheads. At the start, you said that you were appearing here today as an individual. But you are still the captain of the Brindabella brigade, I understand?

Mr Smith—That is correct.

CHAIR—But you did not come to this inquiry with the authority of that brigade?

Mr Smith—No, I need to make it very clear that in no way do I speak for or reflect any of the policies of the Rural Fire Service. I think it is a public duty, having observed what I have—and if it is relevant to such an inquiry—to focus on the observations. There will be a lot of unanswered questions, but observations are what I can contribute here.

CHAIR—You say in your submission that you have had 30 years involvement in volunteer bushfire brigades in the Brindabella Valley.

Mr Smith—Yes.

CHAIR—So you have experienced and fought many fires over that period of time?

Mr Smith—Yes. Things have changed dramatically in those 30 years. In fact, going back before that, we have gone from the days where we jumped on a truck and took the lads and the beaters and went out with a piece of hessian to beat fires out. That is what we did in the early days. A lot of fires in those days were described yesterday by some of the local land-holders. People are used to doing hazard reduction on their properties. Therefore, a lot of the fires we fought would not be recorded as such officially. But there is no way in the world a person ever lights a fire on their property with the wish to burn their house down or do any damage. You have to learn under what conditions fires will start and go out and how to stop them. Now we have moved into an era where firefighting has become much more formalised. The equipment is much better. However, the pendulum now, I have to say, has swung too far towards a bureaucratic approach to fire control.

CHAIR—Would you say that you are well qualified to give an observation of a particular fire, the ability to fight that fire and the level of danger of a fire, given your 30 years experience in that region?

Mr Smith—I believe so.

CHAIR—In your submission, you state quite strongly that there should have been a better response at the start—an earlier response. Also, other people have given evidence to this inquiry that the fires in those early days were easily able to be addressed but were not. In this morning's *Canberra Times* the rural fire commissioner said:

> … the RFS had evidence that the fires had within hours of their ignition on January 8 become too dangerous to fight directly.

How would you respond to that?

Mr Smith—My comments earlier would perhaps lead to an understanding of why one could come to that view. It is a difficult decision to make. A person who is in charge of an incident must have paramount in his mind the safety of people—lives first. I can understand that people who are not familiar with and are not used to the behaviour of fire in our terrain could come to the conclusion that they thought it would be too dangerous to send people in to fight a fire there.

CHAIR—You are the brigade captain of Brindabella in the region. Were you asked?

Mr Smith—I have to say no. Perhaps I should leave it at that.

Mr GIBBONS—You said in your remarks that fires at altitudes of 6,000 feet, as in the Brindabellas, behave totally differently from fires at a lower altitude—say, ground level or a bit over. Could you elaborate on the difference and the dangers? Is it because the density of the air is thinner because it is higher? Does that cause the difference in the behaviour? What are the dangers in that difference, apart from what you have pointed out? People are used to fighting fires at a lower level. How do you elaborate on the actual difference?

Mr Smith—For a start, when you are at 6,000 feet you are at the top of a hill. Lightning generally strikes at or near the top of the ranges, and it is a frequent occurrence in the mountains. The typical behaviour of fires in the mountains—and we have seen plenty of them—is that at night they 'trickle' around, as I call it. Their flame heights are very low. Even on 17 January, the Broken Cart fire—which I must make sure I mention again because, although it has not been talked about much, it did exactly the same as the McIntyre fire—was essentially going out. It was cold. The humidity out there over that period was such that there were heavy dews in the morning. I do not know whether you have ever camped out on the ranges but if you have you will know that when you get up in the morning your tent will be sodden with moisture. That did indeed happen. Because we had easterly air coming in over that period, at altitude we had high levels of moisture and cool temperatures at night. Under those conditions, fire behaviour is very benign. Let us face it: although we said it was too dangerous then, for the rest of the campaign we sent people in at night to burn off. I suppose what it boils down to is that, had the local knowledge of fire behaviour been used, I believe we would have attacked those fires.

You will hear this afternoon that the Bendora fire and the Stockyard fire were addressed on the 8th. One of them had a hose line and a rake trail right around it. The other was 50 metres by 70 metres, but the people were pulled off them. From where I sit, that seems to be an outrageous decision, but if you are sitting in Queanbeyan and you are looking at a map and you know that these people are in forests it is not, so I can appreciate very easily how the commissioner or a fire incident manager who was unfamiliar with the terrain would come to the conclusion that it was too dangerous to send people in there. I can understand it. The first break in communication here was probably one of the most critical ones.

Mr GIBBONS—That being the case then, in your judgment, if there had been the resources to have, say, a Skycrane or a fixed-wing aircraft available that day, could that have dealt with those eight fires after their initial ignition by lightning, which would have been a safe way of dealing with them?

Mr Smith—If a Skycrane had been available on Wednesday, the 8th, all those fires would have been very readily controlled. They would not have been extinguished, but they would have been slowed to the point where a ground attack could be mounted. Let us face it: there is nothing easy about fighting fires up in the Brindabella Ranges at those altitudes, in the heat of day and, in some cases, on precipitous fire trails. It is not easy but the access, as it turned out, to the fires that we are talking about was really quite good. The McIntyre fire had points of access north, south, east and west. That is not very usual in a fire in a remote area. But there was no attack. If we are to get into the strategies and tactics, we could probably talk for hours about them. I could demonstrate to you how I think this fire should have been handled, but that is a fairly long process.

Mr McARTHUR—I have two issues: one is the early response on 8 January and the other is the fuel reduction burn. Page 14 of the document you submitted this morning is headed, 'Response factors militating against suppression of fires impinging on Canberra and Brindabella'. I note in that document you say that 9 and 10 January were unusually good for a back-burning operation. You also said that Mr Wayne West, who actually went to the toe of the fire, reported that the fire was limited in extent and exhibited benign behaviour. You have made three recommendations, and I wondered if you could comment on those. The first recommendation said:

If the McIntyre and Broken Cart fires had been suppressed the over-runs to Brindabella and Canberra would not have happened.

Would you like to add to that recommendation?

Overhead transparencies were then shown—

Mr Smith—With the help of this transparency, I will demonstrate my position. The fires that overran into the Brindabellas and, in a much worse way Canberra, were the McIntyre's Hut fire—that is this event—and the Broken Cart fire, which is not so much talked about but which impinged further down towards Tharwa. In fact, it is a very similar event. The Broken Cart fire, which impinged on the southern end of the Brindabella Valley, went over Mount Franklin, destroying the chalet, and then went across into the southern part of Canberra. The McIntyre fire, which started to the west of the Goodradigbee River, came down here by midday and then, as I have argued, moved from here, straight through Stromlo and into Duffy.

Mr McARTHUR—Your second recommendation said:

There was a good chance of extinguishing the McIntyre fire in the period of 8-10 January if resources were available.

Can you just add to that? Are you saying that you should have put the fire out in those two benign firefighting days?

Mr Smith—Absolutely. I think 'extinguishing' is a bit too strong, on reflection; certainly it should be 'containing'. But with a fire like that, which was about 200 hectares in size by the end of that day—it was not an enormous fire—and which had access, if resources had been available it certainly would have been contained.

Mr McARTHUR—What about when it was first noticed? As captain of the brigade, if you had been allowed to go and deal with that fire when it was at first observed, would that have helped to—using that word—'extinguish' it?

Mr Smith—We are getting into the area of hindsight. Certainly, my brigade with three units would not have been in a position to extinguish the fire. In fact access to the fire from the west was suitable only for smaller tankers. Nevertheless, the way that you would fight a fire is to go to the toe of it and pinch it out from both sides. If the terrain is steep, this is not an easy proposition. That could have been done, but please remember that there were eight fires around us. We were seeing the McIntyre fire, but we could also see that the fire that was of most imminent danger was the Mt Vale homestead fire. We responded to the Mt Vale fire and it was contained on the 9th. However, with hindsight—

Mr McARTHUR—If it was contained, why was the McIntyre's Hut fire not contained?

Mr Smith—Because no resources whatsoever were—

Mr McARTHUR—Who made that decision?

Mr Smith—If it was a decision—availability of resources could have been a problem, but I really do not have the information to answer that question.

Mr McARTHUR—You said:

Many accounts relate that the Broken Cart fire could have been contained if bulldozer control lines were allowed to be emplaced but were not allowed for environmental reasons.

Could you add to that submission?

Mr Smith—Yes. There were two fires to the west of Brindabella. One of them was the Princess Flat fire—a fire that nobody seemed to know about. One line of evidence that you have for fires is to look at the smoke column. The smoke column tells you an enormous amount about fire behaviour. The size, colour and direction of the column give a huge amount of information to someone who is used to observing fires. The Broken Cart fire and the Princess Flat fire, which was not that far away from it, were evident to the west of Canberra for the whole period up to 18 January.

Mr McARTHUR—This is during benign fire conditions?

Mr Smith—Indeed. When you have 46 fires going around the place, there just are not the resources to jump on all of them at once. Resourcing is a very critical issue. A lot of them were put out, but the strategy would have to be to leave the fires which are considered to be the least dangerous. If you have to make a decision, you attack the fire that is going to be, in your mind, the most dangerous to life, property and assets. I include the national park as an asset. I have noted that it is not often done when you look at fire maps and I think something has to be corrected about that.

Mr McARTHUR—Some other witnesses have been saying to us, both in informal conversation and on the record, that the key thing was to put the fires out early, that with the drought and the temperatures a firestorm was a possibility and that there had been warnings issued over 30 years that these scenarios could emerge. Some witnesses have said that it was important to get the smaller blazes out on day one.

Mr Smith—I think I would be included as one of those witnesses. I agree entirely with that.

Mr McARTHUR—How do you relate that comment that it is important to get them out early and not to delay the fire suppression activity as compared to the great possibility that the Canberra valley could be wiped out given a scenario of high winds and firestorm activity?

Mr Smith—That is true, but I do believe there is an element of hindsight there too. I do not believe any of us had any idea—even though we thought a bushfire might impinge on

Canberra—of the event that was going to happen. We were very concerned about the overrun of a bushfire into Canberra. That is something you can kind of handle—even if it is severe, you can do things. With the event that I demonstrated to you before of a firestorm, it does not matter what resources you put in front of it, it will simply go right over the top of you.

Mr McARTHUR—I think everybody understands that. The key issue I am interested in is why these fires were allowed to burn unattended in some cases. As you said in your own evidence, you were in a very difficult fire position in terms of temperature, drought and fuel in the national park and surrounding areas.

Mr Smith—It is true—the setting was that the fuel was very dry because of those factors. Low humidity and high temperatures lead to very dry fuel and, should you get ignition, it is a prescription for a dangerous fire.

Mr McARTHUR—Everyone knew that. You had benign conditions on 8 and 9 January. Given those conditions, why wouldn't every fire suppression agency and fire operator get out there and put the fires out under this particular set of circumstances?

Mr Smith—I would like the answer to that question as much as you would.

Mr McARTHUR—Surely that seems to be a key feature. What this committee is interested in is why there was not an immediate attack on those smaller fires when they were first ignited by lightning.

Mr Smith—I think there will be an answer to that, but I am afraid I cannot give it to you.

Mr McARTHUR—Can I move to your views on the fuel loading. You note on page 4 of your submission that there is incontrovertible evidence that fuel loads have a significant effect on fire behaviour; you draw a comparison between the hazard reduction in the adjoining state forest and in national parks; and you talk about the complex permit requirement for hazard reduction burning. There are three issues there. Would you like to help us a bit on your view? Other witnesses have made quite extensive comments on these issues.

Mr Smith—As to the modification of fire behaviour by previous burning, the evidence is definitely on the ground and it must be looked at. There are clear areas in this fire. You may note the green areas in the image on the overhead transparency. This indicates that the trees still have their crowns in them, yet that has all been burnt. Note the areas to the west of the Brindabella that are green. Those were areas that we burnt off up to nine or 10 years ago. It is the same fire and the same conditions. On the Brindabella Road, when you go out there sometime, you will note that there are areas on the road where the trees all have their crowns. Why didn't the immense fire that came out of McIntyre's Hut burn them? It is the same time and the same place. There is incontrovertible evidence—and you can see some of it here—that, in areas which had been previously burnt, the fire behaviour on that day was considerably modified.

Mr McARTHUR—You are saying this is real evidence of the fire reduction burn policy working?

Mr Smith—Could there be another explanation?

Mr McARTHUR—Why is National Parks not undertaking fire reduction burns in a similar way to the Forestry Commission when you have this evidence before your own eyes?

Mr Smith—They had considerations, I suppose, of endangered species and a number of other reasons. I think the evidence is now there to rethink these policies. They had good reasons, perhaps, from an environmental point of view, for not doing it, and there were other reasons for doing it. We now have evidence that the corroboree frogs are still there and we are told that the quolls even enjoyed it. Although there was massive destruction of wildlife, we know now that these endangered species are still in their sites. One site near Piccadilly Circus was absolutely incinerated. Can there be a reason on that account for not having a cool burn? I do not believe so.

Mr McARTHUR—You mentioned the complex and restrictive permit procedures for undertaking fuel reduction burning. Would you care to comment in relation to state legislation?

Mr Smith—I believe this has been a developing problem. The permit procedures have become increasingly complex and difficult. After the 1994 fires in Sydney, we were told that hazard reduction was the go—we had learnt our lesson. After that, a whole wad of environmental legislation was passed that actually became part of the permit issuing procedure and it made the issuing of permits quite difficult. There is now a raft, if you like, of orders coming out. Let us put it simply. I used to be able to issue a permit to someone in my area if I thought it was okay for them to do a particular burn. It was fairly simple: they could ring me up; I could write a permit. I know the country. If there was a problem, I would pass it on. I cannot do that any more.

Mr McARTHUR—What is your recommendation to the committee? In view of the evidence here, what would you suggest to the state government and to this committee?

Mr Smith—I would suggest that the local permit issuer, who would normally be the captain of the local brigade, should be empowered to issue a permit.

Mr McARTHUR—Because he understands the terrain, he understands the fuel load and he understands the conditions.

Mr Smith—Indeed. And he is in touch with the neighbourhood. He knows the neighbours. We are now in a position in the Yarrowlumla Shire where all hazard reductions have to be approved by the fire control officer or the deputy fire control officer. We are back to doing it from 50 kilometres away. How could that person know what the conditions are like out there?

Mr McARTHUR—Are you saying to the committee that it will not happen because of the bureaucratic tangle?

Mr Smith—I believe that is right. It has already happened. I cannot write a permit any more. Under the new regulations, an environmental impact statement would be required each year for a land-holder, whereas we know that the window of opportunity to burn off some bracken, a bit of tea-tree, some cuttings or to clear some stubble is on a daily or an hourly basis. You cannot predict when to do that.

Mr McARTHUR—You have got the evidence there. You can see on the map that the reduction burn has worked quite well, and yet you cannot implement it as a fire captain?

Mr Smith—Unfortunately not.

Mr BARTLETT—Mr Smith, thank you for your submission and for your very interesting presentation earlier on. The comments at the conclusion of your submission are very emphatic about hazard reduction. You say that 'unacceptably high fuel loads were the principal reason for the firestorm behaviour' et cetera. You make the comment that one of the problems with hazard reduction is that different agencies have different priorities and 'place different values on various assets'. Page 4 of your submission states:

> The recent reclassification of crown lands into national parks ... has had a major impact on the ability of the RFES to be involved in protecting the environment and communities through prescribed burning ...

Is it your view that national park authorities are in effect hindering the RFS in its work of fire prevention and fire suppression?

Mr Smith—I think the RFS moved to a point where it regarded the National Parks as the land manager and as having the responsibility and that it was not the role of the RFS to be involved in hazard reduction.

Mr BARTLETT—Is it your view that hazard reduction and fire suppression would be more effective if the RFS had the authority rather than National Parks?

Mr Smith—I think so. But I see no reason at all why the National Parks and the Rural Fire Service cannot work together. By far the best way to undertake hazard reduction is to work cooperatively.

Mr BARTLETT—Your presentation indicated that that has not been happening.

Mr Smith—Certainly not in the area to the west of Canberra. To my knowledge there has been no hazard reduction in the national park to the west of Canberra.

Mr BARTLETT—Would you be aware of whose decision that was ultimately—RFS or National Parks?

Mr Smith—It would be the bushfire council. When submissions go up for hazard reductions to be done, all of the agencies sit on that council and collectively come to a view. But if the National Parks had a reason for not wanting that hazard reduction, it would be normal for it not to proceed.

Mr BARTLETT—You said that the reclassification of crown land in the national parks has been one of the problems that has prevented effective hazard reduction, presumably that is because of the authority being with National Parks rather than the final say being with the RFS.

Mr Smith—I believe that under the new act of 2002 that is not so. That being the case, that would mean that the RFS does have an important role. I would not see any other way to work with a land manager—be it forestry, National Parks or anyone else—other than cooperatively.

Mr BARTLETT—You recommend in your submission that an independent statutory authority be established to devise, implement and monitor appropriate hazard reduction. It would seem to me that that simply creates another organisation, another level of bureaucracy. Would it not be better for the RFS, in conjunction with advice from local brigades and local authorities, to have the final authority to make those decisions?

Mr Smith—If the RFS were a statutory authority, I would say yes. I agree with you entirely: every time you add in another organisation, you put another body into that decision making process and that slows things down and makes them difficult.

Mr BARTLETT—Why does the RFS have to be a statutory authority in order to effectively do that? Couldn't they, with their current organisational structure, be given the necessary authority to effectively carry out their work?

Mr Smith—There does come a point in our democracy where in the end it is parliaments that are a pivotal part of the way we make decisions. I guess the reason why parliaments create statutory authorities is that they are usually in technical areas where advice that is independent of the government of the day is required. There are a number of these which provide good models, mainly in the Commonwealth area. I think we are talking now about scientific decisions. This body I am talking about would probably not be making decisions on the same basis as policy makers and bureaucrats. You would have to have people in there who understood fire behaviour and who could make recommendations.

Mr BARTLETT—Could it not work with the RFS being able to consult with people with that knowledge and being given the authority to make those decisions?

Mr Smith—On balance, I would agree. I am not enamoured of that particular recommendation except that it really depends on the independence of the Rural Fire Service to be able to do what it thinks is best purely on the grounds of fire considerations.

Mr BARTLETT—Are you suggesting that it is not sufficiently independent to do that now?

Mr Smith—I do not think any department of government has the kind of independence that a technical statutory authority has.

Mr MOSSFIELD—Are you saying that it is the local bushfire committee that makes the decisions relating to hazard reduction burn-offs? Is that what you have been telling us?

Mr Smith—I have never been on the bushfire committee, but I am aware that it exists. In years past I have asked that hazard reductions be undertaken in our area. Most of them were not accepted. But in the last couple of years we have not even been asked whether we want to have hazard reductions in our areas. The process from the local area to the bushfire committee seems to have broken down.

Mr MOSSFIELD—Yes, but there is a bushfire committee that has the role to make that decision relating to burn-offs?

Mr Smith—I think so, yes.

Mr MOSSFIELD—And the National Parks and Wildlife Service is on that committee?

Mr Smith—Yes.

Mr MOSSFIELD—If I said to you that the National Parks and Wildlife Service does not have a veto over hazard reduction burning, that they cannot say that hazard reduction burning cannot take place, would I be correct in saying that?

Mr Smith—I would think that, in practice, if the National Parks said that they did not want to have it, that would be equivalent to a veto.

Mr MOSSFIELD—Do you think they have a veto by legislation?

Mr Smith—I do not think by the current legislation, no; by previous legislation, possibly.

Mr MOSSFIELD—What I am really saying is that those decisions are made by a collective group and not by one particular group having the right to determine them.

Mr Smith—That is right.

Mr MOSSFIELD—I was interested in your comments on page 4, which we have all been referring to, about the build-up of fuel over a long period of time—up to 30 years, you say, since the 1970s. Why has this been allowed to happen? We are not just looking at the current issue, but this has been allowed to happen by all agencies apparently, if your statement is correct.

Mr Smith—All land-holders in our area are wondering the same thing. When I first went to Brindabella, the Hume-Snowy fire mitigation scheme was working. In fact, it was quite an experience because it was early in my time there. My house is right in the valley with steep hills on both sides. In these processes, because they use aircraft, they are able to do mosaic burning over a huge area, hundreds of square kilometres, at just the right time so that the fires from the incendiaries would burn something the size of this room. When you actually see it happening, as I did—aircraft appearing and dropping incendiaries on the hills all around your house—it is quite an experience. On the data that, say, National Parks would have about prior burning, I have heard these hazard reductions referred to as the days of 'the holocaust'. You look at hundreds of square miles, incendiaries dropped all over that area, mosaic burning and really, in those days, in my opinion, it did a wonderful job of keeping the country both hazard reduced and, if you like, in a park like state. The reason they were called national parks is that they were park like; they are not like that now.

Mr MOSSFIELD—You said that this happened up to the mid-70s. That is a long time ago. Some of the difficulties that we are incurring now have been put down to more recent legislation. I wonder what changed around that point to allow this?

Mr Smith—The policy of Kosciuszko National Park stopped all prescribed burning. So at that time that was the policy. 'Hazard reduction' is probably a term that is a bit misleading and it is one thing we need to look at. It is not just hazard reduction. The environment needs fire for its health as well. It is a double bonus when you do hazard reduction properly. From the environment's point of view, it is not hazard reduction; it relates to biodiversity.

Mr MOSSFIELD—You draw attention to the valuable work of the CSIRO and the need for the use of computer based technology. I guess that the National Parks and Wildlife Service would also have those skills. How then do we blend in that scientific information with the grassroots people who obviously have a big contribution to make too? What needs to be done to blend those two together so we get a good outcome?

Mr Smith—That is a very critical question. Technology transfer from the scientist back to the grassroots is the key thing. It is the communication. In every major incident people will say to you 'You don't understand. You haven't got the big picture. You don't have the four-day weather forecast. You don't have the computer.' The fact is that most of us are indeed very capable of understanding, but we must get the information out. So I very much welcome the new CRC. I believe this is going to have a major influence. I believe it should be very strongly supported and funded. I have argued that it needs to get to work very quickly to capture evidence from this event right now. We do not have months and years to let that go.

Coming on from that, the important thing is for the technology transfer of the findings from that kind of work to come back into the practices at the grassroots level—not to stop at Rose Hill or wherever the people, the incident management team or the control area is. We all need to understand fire behaviour well. We all need to understand the environment well. If we go out as firefighters—and we do not go out to burn the bush for heaven's sake—if we know where the sites are and if we understand the environmental issues when we go out to perhaps prevent an event like this and put out fires, how much better will it be for the way in which we conduct our back-burns and create our strategies for putting fires out? I agree with you entirely. The way to do this is for fire plans covering all areas and all of the national parks to be developed in consultation with all of the agencies and in a mandatory way with the local people and fire brigades.

Ms ELLIS—I have a couple of different aspects to mention, given your experience. There have been some comments to us, both on and off the record, about the inability to coordinate communication systems between firefighting units in this region because of the use of different equipment. What is your reaction to that? Is that true and, if it is, why is it the case—understanding that it is a problem if it is the case?

Mr Smith—Yes, it is true. Yes, it is a problem. Even within the Rural Fire Service we have brigades from different areas which are unable to communicate.

Ms ELLIS—So it is not just jurisdictional in terms of territory and state; it is within regions as well?

Mr Smith—It is within regions. It depends on the kind of radio communication systems you are using. The Commonwealth does have one part to play here, and that is in the assignment of spectra for communications. That has created enormous difficulties for the fire service, because

every time you arbitrarily change those spectra, the cost of reprogramming radio equipment is horrendous. I am glad you raised that issue because, under that section on communications in my report, I noted that the only common radio system at the moment is the CB UHF which most people have. It is usually the only system that allows us to talk to other people. In this area, ACT, National Parks, forestry and the Rural Fire Service are all on the fire ground together, but we cannot talk to one another.

The other thing is with the aircraft. It is really helpful to be able to talk to that helicopter up there to tell him what is happening with the water on the ground. You can do that with UHF, but moves are being made right now to move fire ground communication—and I am not an expert in this—to VHF, very high frequencies, which are more expensive but very effective. The reason that UHF is a real problem anywhere near urban areas is the interference that you get from rubbish on the radio and even hoax calls that come in. That makes it very difficult. In our area and in remote areas UHF is terrific. But I understand the policy of wanting people not to have UHF. There are inherent dangers and difficulties in its use because it can get jammed by a lot of other traffic.

Ms ELLIS—Given the criticism that has been levelled in the Canberra region regarding the inability of different services to communicate quickly in such a dire emergency, and given that people have their personal preferences for this sort of equipment, would you rate the need to address this at a national level as high? Does it need a national approach? Does it need to be addressed at the state and territory level? Where does it need to be fixed?

Mr Smith—If the states and territories cannot sort it out, there is a role for the Commonwealth.

Ms ELLIS—Have you submitted to the McLeod inquiry and/or the ACT coronial inquiry?

Mr Smith—No, I have not. I submitted to the New South Wales coronial inquiry in the belief that that would feed into the ACT inquiry. That was a matter of judgment. However, I have now been requested to respond to the ACT coronial inquiry.

Ms ELLIS—I am asking my next question with no intent whatsoever to devalue the work of this committee. In fact, I am pleased to be part of this committee. You would be aware that a Council of Australian Governments inquiry to give a national view of bushfires is being organised at prime ministerial level, with the agreement of the heads of all of the governments throughout the country to participate in that inquiry. Given that that is the case and given your opening comments today that not only are we here to look at fires in Canberra but we are a national inquiry into recent fires—and we in the committee have debated what the word 'recent' means, because it does not mean yesterday; it could mean the last quarter of a century—would you see great value in the COAG inquiry putting a national perspective on the fires to the heads of government, including the Commonwealth government?

Mr Smith—I would have thought that that would have been an outcome of this committee's work.

Ms ELLIS—It is under way anyway. It is going to happen separately.

Mr Smith—I was not aware of it. You have a COAG kind of approach to a number of things. COAG inquiries can become stadiums for stand-offs, whereas I think the approach being taken by a committee of inquiry like this can be more effective, to tell you the truth.

Ms ELLIS—Really?

Mr Smith—If it is undertaken in a rigorous and bipartisan way, I think you can get to the nub of things in a different way to that which you would if you were the premier of a state.

CHAIR—I want to clarify a couple of things from some of the evidence that has been given so far. You mentioned earlier that a line was put around the Bendora and Stockyard fires and that they would have been easily contained if people had not been pulled out. You should clarify that. Those fires would have been under the control of the ACT rather than the New South Wales fire service. Is that correct?

Mr Smith—That is correct. I have jumped ahead a bit here, because I have spoken to someone from Uriarra who will give you evidence this afternoon. However, the evidence in the written submission is that the Bendora Dam fire had a hose line right around it and that the Stockyard fire was quite small but there was a team there which wanted to fight it. This has been a bit of a common story, because on the Friday evening before the disastrous fires here on the Saturday people were pulled off the mountain too. The firefighters themselves wished to stay to complete the back-burn but, if you are an officer responsible for your crew and you have been given an order to withdraw, you are bound by it because you have to take on board that that order has been given by someone with information that you do not have.

Mr McARTHUR—Who would give that order?

Mr Smith—That would come from incident control.

CHAIR—I wanted to clarify that the fires were the responsibility of the ACT, not New South Wales.

Mr Smith—The ACT was responsible for controlling the Bendora fire.

CHAIR—Still on the resourcing in those early days, I think you were providing—and I will choose my words carefully here—some sort of explanation as to why fires like the McIntyre Hut fire were not addressed quickly. You mentioned that it was possibly a resources issue—you put your resources in the area of most priority and leave what seems to be less dangerous. But in your submission you make it clear that your unit had one Cat1, one Cat7 and one Cat9 fully crewed and ready to respond by 16.30, but you were ordered to stand down until the following day. So there were actually resources doing nothing and there were small fires that could have been addressed; is that correct?

Mr Smith—That is correct.

CHAIR—And finally, you were asked questions by Mr Mossfield in relation to the bushfire committee and whether National Parks had a veto. But is it not true that if there is no application

lodged by National Parks to that committee for prescribed burning, then that committee would have nothing to consider?

Mr Smith—That is definitely the case.

CHAIR—Thank you. I think we have done the questioning very well. I know we have run over time but I think there have been very significant and important issues that the committee needed to get through thoroughly. We thank you very much for your extended time here this morning, for the huge amount of work that you have put into your submissions and for giving the committee the opportunity to have the benefit of your great experience. We appreciate that, thank you.

Proceedings suspended from 10.57 a.m. to 11.11 a.m.

MENZEL, Mr David Leslie (Private capacity)

CHAIR—Welcome to the hearing. Although the committee does not require you to give evidence under oath, I should advise you that these hearings are formal proceedings of the parliament and consequently warrant the same respect as proceedings of the parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. The committee has your submission, which has been authorised for publication and will form part of the evidence we use in putting together a report. Thank you for that. Would you like to make some opening remarks before we go to questions?

Mr Menzel—Thank you. After reading the paper this morning and over the last few weeks, I have become aware that some people have viewed this inquiry as perhaps a little politically based. I would like to make it very clear that I have never been a member of any political party. I am not here to push any political barrows. I know a number of political parties and particular individuals from political parties very well and I respect individuals within a number of parties. The most recent political event—if I could call it that—that I attended was Kerry Tucker's ACT Greens fundraising dinner before the last ACT election. I attended simply because of my respect for Kerry as an individual, and for what she does within the community. Annette Ellis has attended some of our functions. I have a close working relationship with her because of my involvement with the Woden community and her involvement with the Tuggeranong community. I am certainly not here scoring any political points.

I have been a boy in the bush for many years. I grew up in the Western District of Victoria. My father was a shearer and a farm worker. As bush boys we had a lot of involvement with fire as, in the bush, we do with many other things. At a very early age we had learnt to respect fire—not so much fear fire—and know its power, but also to appreciate many other aspects of fires.

Over the last 30 years or so, I have been a land-holder out in the Brindabella area and, more recently, in the Wyora area, which is across the river from and adjacent to McIntyre's Hut, which is where the recent fire started. Over this time I have got to know the mountains out there very well because, as part of a small business that I was running, we camped around the mountains there. We rode horses and camped in tents or in swags over a period of some 12 to 15 years around the mountains there. We indeed learned the terrain and climate. We learned that the night-time temperatures are low, whether in summer or winter—to reinforce what Mr Smith said before about the night-time temperatures even in summer—and it is damp and fires behave very differently even in the middle of a very dry and drought-stricken summer.

It very quickly became our view that the McIntyre's Hut fire was never contained. We became aware of that fire very early in the piece. Our neighbour Wayne West was phoning us as early as 8 January, because our family base is in Canberra, alerting us to the fact that a fire was out there. The fire at McIntyre's Hut was some five kilometres or so to the east of our property and our cabins that we have at Wyora. A fire to the east of us does not always pose an immediate threat to us because we are aware that our winds come predominantly from the west, so we tend to take more notice of something coming from the west. In spite of that, we certainly did pay interest and attention to it because, as Wayne was explaining to us, the winds had been coming from the north-east and at times from the east and they were switching around a lot.

Over the first few days he kept us very well informed on what was happening with the fire and on that weekend of 11 and 12 January a number of us saw fit to go out and assist with the effort to fight that fire. At that stage I think we were doing it very much just as neighbours. We were assisting Wayne West, who is a neighbour of ours, and we were assisting National Parks, which are also neighbours of ours. So our effort initially was one of being neighbourly in the bush, as we always are. That is where we started.

During that week I guess we became aware that there did not seem to be a lot of effort put into containing that fire. We learned from another neighbour, Donny Stuart, that he had seen the fire that started on Wednesday, 8 January and reported it initially as a small plume of smoke after a lightning strike. Again from neighbours, we learned that nothing was done apart from observation, I think, on 8 January. Nothing appeared to have been done to the fire on 8 and 9 January. On 10 January we understand that National Parks attempted to get a small bulldozer to the fire but were unsuccessful. Then on 11 January I believe a larger dozer and some helicopters came in, and on Sunday 12 January some more helicopters came in and were taking water out of Wayne's dam. I think some of them were trying to pull water out of the river but that is a lot more difficult because of the trees over the river.

Basically our time there was spent assisting Wayne fill up his dam. We used our own fire pumps, our hoses and poly pipes and things like that so that we could help top up the dam, as I think we had seven helicopters pulling water out of the dam on that Sunday. I think we had four fire pumps, three of them pushing through 1½-inch poly pipes and one of them through a 2-inch poly pipe to try to keep the water level up so that the choppers could get it out of the dam. We cut the fence in the dam to give better access for the Incredible Hulk, which has a large trailing suction hose. We saw the barbed fence as presenting some sort of danger to that, so we cut that out.

That week—13, 14, 15, 16, 17 and 18 January—was spent in the following way. In a number of ways we realised there was a risk to our own cabins some five kilometres, as I said, to the west of the main fire, so we set up our hoses and sprinklers and kept the surrounds of our cottages and cabins as wet as possible, including the roofs, under the cabins and things like that. We went over to our other property at Brindabella and started preparing there because we were aware of other fires then. The Broken Cart fire was indeed to our west and was one that we saw as a potential danger should the wind pick up—as it inevitably would. So we started clearing things from around our sheds and little cabins at Brindabella, cutting blackberries away from the river so we had better access to the river and things like that. Our time during that week was spent toing-and-froing between Wyora and Brindabella. It was then, I think, on the 18th, that the fire really did take off.

It was in that week that we were a little bit frustrated by listening to the radio whenever we could, tuning into our local ABC radio station, which is one of the few stations that we can get out there. We heard quite a lot of reports from emergency services, from the Rural Fire Service and other people who, as I think I say in my submission, seemed fairly keen to have their say on the radio waves. We seemed to be hearing stories about how many resources were available but at the same time about what they were not doing in terms of controlling the fire, because of their concerns for small environmental areas. We appreciate that too, but the emphasis did not seem to be on putting out the fire as quickly as possible.

I think your attention has been drawn to the fact that, by contrast, the Forestry people—with some help from the Brindabella bushfire brigade—did pounce on some of the fires very quickly, particularly the Mount Vale fire that has been referred to, and got them under control. As people out there on the fire fronts and as people concerned about our property, we did see a contrast in the management styles. We saw the Forestry people getting stuck into fighting the fires without any radio or television interviews. I might leave it at that.

On the Saturday and the Sunday the fires came at us, because, as I said, the fires were never really contained, in spite of assurances to the contrary. I have notes in my diary here somewhere. When Wayne, our neighbour, rang up—and we were with Wayne—he was reassured. I have a note here on 17 January: 'Wayne rang fire control, was assured that if the fire crossed the river they would put it out.' He rang them at 10.26 p.m. on Friday night and said that the fire was on Tommy's Flat, which is across the river from McIntyre's Hut. He was basically told that no, the fire was not there, it was behind containment lines, and not to worry. It was more or less, 'Go to bed, we've got it under control.' As people who were watching the fire happening and who were where the fire was, we found that remote authority laughable—that would be a kind word to use. The fire, as I said, had crossed the river and it burnt a lot of property, including Wayne's house, effects and machinery, on that Saturday.

On the Sunday it came up and presented itself in a firestorm some few kilometres in width and 70 or 80 metres in height and approached our cottages. We were left quite early in the piece by the National Parks and their helicopters. They obviously had other priorities. Once the fire had crossed the river, it seemed as if their concerns were elsewhere and not on returning the neighbourly help that we had given them.

The Rural Fire Service had through that week dropped by in one of their control helicopters and remarked that we seemed to have things under control and asked if there was anything they could do. I replied that an additional pump would be of assistance, because we had a small back-of-ute or back-of-trailer fire pump trying to replenish water. We were reassured that he would do what he could. I spoke to him briefly and Wayne West spoke to this person briefly. He then hopped in his helicopter and disappeared and we did not hear or see anything materialise from that conversation in any way, shape or form. Again, it leaves us a little disappointed when people show a bit of interest and offer some assistance that does not materialise.

As I said, the fire approaching our cottages was quite ferocious—wide and very high. At that stage the state forestry resources, which were also there fighting, took fright and they left us. They were gentlemanly enough to shake our hands and wish us well. They had two or three fire tankers there and half a dozen or more utes with slip-ons, as they are called—all firefighting units. They shook our hands and wished us well and withdrew, I think, some 20 kilometres away from the fire front.

As I said before, I do respect fire a lot and I do not believe my approach to it is foolhardy in any way. My family chose to stay and a few friends from Tumut who have also grown up with fires in the mountains chose to stay and help us. The main fire was horrific. One of my daughters is a keen photographer and she has photographed all of these happenings on that Sunday. I guess you cannot blame people who are not terribly used to fires from running away, because it did look pretty bad. It approached one of our cabins surrounded by bushland and we thought that that cabin had succumbed in spite of the fact that we had been soaking it with water for the last

week or so. But as the flames around it subsided and the smoke cleared we could see that the cottage was still there but that the fence posts and wood heap and everything flammable around the perimeter were alight. So we rushed down there with knapsacks and then a ute and a trailer with a tank on it and we proceeded to fight the fire off, preventing it from taking hold on the cabin.

Apart from divine intervention, I think the only thing that really did save the cabin was that we had taken the precaution of wetting things down over the preceding week. We are fortunate enough to have access to water, so we had kept our sprinklers going and going and going. So, in spite of the fact that we had a lot of flammable material around the cabin, under the cabin and on our little wooden balconies—things like cardboard, newspaper and wood—where the wood was wet and where the newspapers and other flammable material were soaked, it did not ignite at all. It probably would have ignited had we not been there to put out the fence posts and wood heap and things like that which would have helped the drying process over the next hour or two. We certainly believe that our prompt action at that stage saved that cottage.

Similarly, over at Brindabella the fires were approaching us from the east and from the west. The fire from Bendora was coming at us from the east and the fire from Broken Cart was coming at us from the west. Again, we did a lot of watering down and wetting down and so on and were fortunate enough to fend off the fires there. I guess that is a fairly potted history of those couple of weeks. We were also involved in considerable amounts of back-burning through the pine trees at Wyora. Wyora is a private pine plantation. We assisted New South Wales Forestry and the private consultancy companies who have a responsibility for those pine trees in their back-burning.

I remember well one night when I had been on watch until three or four o'clock in the morning—this was probably the Sunday night after the fire had gone through; it might have been the Sunday or the Monday night, I forget which. I said, 'I'll stay up and just keep an eye on anything that might happen,' and one of our daughters was going to relieve me at three or four o'clock in the morning and let me get a little bit of shut-eye. But then at half-past three in the morning one of the chaps from Forestry—he was not a forestry official but a forestry worker—came and said, 'Come on: we're getting all hands on deck and we're going to do some back-burning just to prevent this from getting totally out of control further to the west in that area.' So bed did not eventuate for me.

We were out with petrol cans and packs of matches and lighters and we were back-burning in the hours of the morning which do allow a fire to burn fairly slowly and safely. The kilometres of fire front that we started at three, four, five o'clock that morning we believe did in fact save a lot more from getting burnt. By doing a fairly wise back-burn in those cooler morning hours and by sacrificing many thousands of pine trees, the fire was in fact prevented from spreading further.

CHAIR—Thank you for those opening remarks.

Mr McARTHUR—Thank you for your detailed submission and some fairly strong comments, which other witnesses have raised. I will run through the submission and seek your reaction to some comments that you have made. You say on page 1 that McIntyre's Hut was never contained and that, as you mentioned in your opening remarks, a number of calls were

made, 36 hours elapsed and it took until Saturday the 11th for a larger dozer to arrive. You made some comments about people who attended the fire rather than fought the fire. Why, in the benign weather conditions that other witnesses have reported, do you think it took so long to actually do something about the McIntyre's Hut fire?

Mr Menzel—We can only speculate as to why, of course. Once a state of emergency is declared—and that takes some time to process—perhaps the onus of financial responsibility for fighting the fire then moves from state or local government instrumentalities to the federal government. We wondered whether that might have had some influence on it. I do not know if my understanding is correct on that. When one is confronted with a situation where there seems to be little action, I guess the mind roams far and wide and you ask, 'Why aren't they doing it?' Also, there seems to us to be a philosophy of waiting for the fire to come to us rather than one of going to the fire.

Mr McARTHUR—What was your attitude as firefighter, though? You could see over these three days the fire emerging and nothing being done.

Mr Menzel—I was not out there for the eighth, ninth or 10th. I was in town. I was in regular contact with Wayne West, who was keeping us well informed. When we arrived and took up the cudgels for that week and a bit before the fire hit Canberra—before the 18th—we were just amazed that it had not been jumped on more aggressively in the early stages. It was only afterwards that we started to wonder to why.

Mr McARTHUR—You knew there were drought conditions and there was a big fuel build-up. You knew the whole scenario.

Mr Menzel—As I say on, I think, the final page of my submission, all of the authorities were alerted at the earliest possible stages. We all know the prevailing winds in this area come from the west. We do have intermittent periods where they come from the north-east, the east and other directions, but invariably they will switch. I was amazed to later find out that pre-emptive action had not been taken in Canberra. I would have thought that, if there was any possibility that this fire was going to reach Canberra, somebody in Canberra would have given instructions to get a bit of moisture around on the western side of Canberra, on those suburbs at risk.

Mr McARTHUR—You talk about attending the fire versus fighting the fire. What do you mean by that?

Mr Menzel—To me, attending the fire is a passive observation. I can attend a fire in a helicopter by flying over and looking at it. To me, that is not fighting the fire. That is passively attending the fire. It might be standing in a command vehicle one, two or five kilometres away and attending the fire by observation.

Mr McARTHUR—You are suggesting to the committee that there is an important distinction between fighting the fire and attending the fire to observe.

Mr Menzel—Yes. I think that some of the authorities were being a little pedantic when they said that they attended the fire. I would not question that there was some attendance at the fire, but I do not believe that attendance at the fire equates in any way to fighting the fire.

Mr McARTHUR—As a firefighter, you have an attitude of mind to go and fight the fire and put it out rather than to just look at it from a distance.

Mr Menzel—Very much so, especially given all of the conditions which I know the committee is well aware of and the night-time conditions in the mountains that Peter Smith alluded to before. I observed the fire. Most nights I went to the top of the mountain range on the western side of the Goodradigbee and looked at the progress of the fire. Only once did I notice a crew there working on the fire at night-time. It is not easy terrain. I have no pretences about that. It is not flat country; it is far from flat. It is very difficult.

Mr McARTHUR—You say:

It is also noteworthy that of the 12 or 13 fires that began at this time in NSW Forestry areas in this region, that all except one, were contained and extinguished in the first couple of days. The remaining fire burnt for longer but did not cause any property damage. From our 'on the spot' observations it seemed to us that the prime objective of NSW Forestry was to get the fires out.

That is an interesting comparison between the attitude at McIntyre's Hut and that of New South Wales forestry. Would you like to add a comment to that?

Mr Menzel—I cannot add a lot to that. That was just from information that we became aware of over this period about the number of fires. It might be helpful if the committee were to address some of those questions to the New South Wales—

Mr McARTHUR—How can one agency get the fires out and other agencies cannot?

Mr Menzel—Indeed. Our observation was that one agency was a bit more aggressive in their approach to the fire right at the outset, whereas the other agencies maybe took more of a wait and see approach.

Mr McARTHUR—As a firefighter, is it a stark comparison between the fact that McIntyre's was allowed to run on for three or four days in benign conditions while the other fires were put out?

Mr Menzel—It certainly is a stark comparison.

Mr McARTHUR—Your next heading is 'Slow to act'. You say:

From media reports we were left with the impression that their main concerns were getting media time to broadcast their own profiles ...

You go on to say:

It did seem to us that the fire was being treated as something of a media opportunity; rather than simply getting in and putting it out. No real concern seemed to be evident from these media presentations.

Then you say:

It also occurred to us that State and Territory instrumentalities might be 'going slow' until a Section 44 was declared ...

You have raised two issues there. Would you care to add a further comment?

Mr Menzel—Yes. I have quite a lot to do with the media, I have quite a lot to do with a large number of organisations in the ACT and New South Wales, and I am very aware of the way in which the media can be used to raise one's profile and to keep one's own name or one's own organisation in the front. The media is very useful for that. When we were out there, I was wondering whether that was the sort of game that was being played by some of these organisations. I was aware of listening to the ACT Emergency Services, the Rural Fire Service and ACT parks. I also heard comments from ActewAGL later in the piece. To me, there seemed to be a lot of profile raising. There was no hard and fast 'this is what we have done'. It was a massaging of words and a use of terminology that I would describe as not saying very much at all, and you were left to wonder why they were doing the interview.

Mr McARTHUR—Do you have a comment on the section 44?

Mr Menzel—No, I do not.

Mr McARTHUR—You did raise it.

Mr Menzel—Yes. I guess it is a term that we use and have become aware of. It is like saying 'a state of emergency was declared'. I believe it is a section 44. I readily admit that I have not seen that.

Mr McARTHUR—You go on to talk about your Wyora story and the way in which you and your neighbours fought the fire on the ground. You say:

We spent in excess of three weeks fighting these fires, using only our own resources—vehicles, fuel, pumps, power, water, voluntary human resources and so on. By contrast we are aware of the saying amongst professional fire fighters; "all we want for Christmas is a good fire,"

Would you care to add to that comment?

Mr Menzel—Yes. I do not think anybody in the industry would deny that the amount of money that can be earned by fighting a fire can be very helpful, and money is often scarce at Christmas, so it can be particularly helpful at Christmas. So a saying in the bush or around the traps—or whatever you would like to call it—is that some of the firies would like a good fire for Christmas, because then they can be out there on overtime, triple time and those sort of things.

Mr McARTHUR—You are drawing a comparison between the paid Parks personnel and volunteer firefighters.

Mr Menzel—Yes, very much so, and a fairly cynical one, I would admit.

Mr McARTHUR—You quote quite boldly in your report:

The fire was predictable, avoidable and manageable. The fact that it was not predicted, avoided and managed has led to the greatest devastation seen on this continent at least since white settlement.

Would you care to add to that comment?

Mr Menzel—I travel through a lot of this area a couple of times each week, and the devastation has been enormous. There are trees and forests that will not regenerate—particularly the mountain ashes. Just two weeks ago I was still taking photographs of dead forests—ones that will not regenerate. There is soil erosion. The soil that has been washed down the mountainsides is now forming mudflats in the valleys. In places where there were previously no mudflats there are now mudflats that are waist-deep. A large amount of siltation has entered the creeks, rivers and dams. I think we are aware that our dams to the west in Canberra are not usable now. Fish life in creeks and rivers has been destroyed through suffocation. I think there has been an almost a complete devastation of the fish life in that entire area. I do not have a clue of the number of kangaroos, wombats, wallabies and lyrebirds and other birds that have been destroyed, but I do know that as I drive through there—as I said, very regularly—there is just an eerie silence, and I know that there is very little left of the native wildlife that was there before. I have been privileged to talk with many people who fought in the 1939 fire, which is a previous fire which has been compared to this one. I have talked to people who have access to their fathers' diaries of fighting in that fire. From those oral and hearsay accounts, I believe that what we witnessed in our mountain ranges in January was probably the worst fire in white history.

Ms ELLIS—Thank you for being here and for putting in a submission to our inquiry. Given that you have lived and had property in the area for so long—I think you said for 23 years or so—can you give us your opinion on how previous fires have been handled in the region? There are always fires through our mountains, and our expert witnesses have said to us that it is not unusual to have a fire up in the mountains. For the sake of this question, if we can put aside what eventuated—we know what eventuated—in your opinion what was different in the reaction in those initial days compared to past reactions to fires by authorities? What was the difference and why was it different?

Mr Menzel—I am not sure that I am qualified to answer that, because I have not been very closely involved in responding in the Brindabella area and being part of the service crew of the Brindabella bushfire brigade. I have been very involved at the other end. Fifteen to 20 years ago I rode through the mountains on some of my neighbours' properties and dropped matches. I would be flicking matches off horseback for two or three kilometres just doing back-burns at safe times of the year. A lot of my involvement with fire has been preventative. I am accustomed to doing cool season burn-offs. I think reference has already been made to the evidence. Peter Smith related evidence before of the effect that that burn-off has had.

Ms ELLIS—I am not being critical of your submission. It is a very good one. I just thought that, given there were so many comments about the lack of reaction, you may have been able to compare it to previous reactions. It would be useful, but if you cannot do it that is fine.

Mr Menzel—I think Peter Smith, with his knowledge and history as the fire captain out there, would be better qualified to answer that.

Ms ELLIS—Do you have any views on how changes could be made administratively regarding future reactions to fires with similar beginnings?

Mr Menzel—The first thing is that any changes that are made should really take into account local knowledge, wisdom and viewpoints, particularly from the people who are out there and know the wind, the conditions, the terrain and the tracks like the back of their hand. These are the people who have valuable information.

Ms ELLIS—Whatever the administrative arrangements may be—be they the same as now or be they changed into the future—and however that is struck, are you saying that the local, hands-on knowledge is the invaluable link?

Mr Menzel—I think so. I also refer in my submission to a change that I have detected over the last 10 to 20 years—a change from a wisdom based approach to fighting fires to a technology based approach. Because technology has improved so much, I think there is now a modus operandi in our firefighting bureaucracies that, because we have the helicopters and the machinery, when we see a fire we will fight it. I often smile to myself when, in the middle of winter or a safe period, I see lightning strikes and a bit of a burn happening in the most inaccessible country—a burn which would do nothing more than be a good preventative burn—and then I see helicopters and bulldozers getting carted over the rough mountains to try and attack this, simply because the capability exists. I shake my head. I think wisdom has really gone out of the window when we operate from a point of view of 'simply because we have the technology we will use it'.

Ms ELLIS—Yet in this case there are accusations that we have it and we did not use it.

Mr Menzel—Yes.

Ms ELLIS—It is a bit of a conundrum, isn't it? I wanted to ask you another question at a more personal level, I guess. You made a comment about a level of concern about the lack of post-fire assistance with fencing, with cartage and also with emotional support. I am very interested in this. Can you elaborate on that?

Mr Menzel—I can. I put that comment in with some hesitancy because I do not like complaining at all, but one cannot help making comparisons. I honour the ACT community for the way they have supported the people in the ACT who have lost houses and so on, and my sister was one of those so I know it very well. But it is rather ironic that some of us who live in the ACT but who have a small business over the border in New South Wales have been a little bit forgotten. We and some of our neighbours had to try to dig out information on what assistance we might get for replacing some of our boundary fences with the national parks. I am not aware of any assistance that we might get with internal fences, of which there are many kilometres. I am not aware of any assistance to replace the feed that was lost. I stock fairly lightly with cattle through autumn and summer particularly so that through winter I have some feed. All that feed was lost in the fires and so we were forced into a situation of having to buy in feed. We found out we were able to claim half of the cartage, or something like that, as some sort of assistance.

Ms ELLIS—I think that was a federal initiative.

Mr Menzel—Yes. So there is some assistance there but I guess in the bush we get used to doing things on our own.

Ms ELLIS—I wish to expand on this a bit further because when we are talking about disaster management—and we are talking about the absolute inevitability of bushfires no matter how well we think we can manage them—we need to look at not only how we fight them but how we recover. This is really important. In the ACT, as you would be very well aware, a bushfire recovery task force was set up and the Community and Expert Reference Group—CERG—was set up under it, with representation from rural lessees, from the rural sector, who were specifically put on it. Are you saying to me that there was no cross-border arrangement between those establishments in that structure and anybody who happened to have property that straddled the border? I am being specific by saying 'straddling' because there are some that do.

Mr Menzel—To my knowledge, no. I had quite close associations with the ACT task force because, as chair of the Woden Valley Community Council, we had members from that task force and the expert reference group attend our public meetings to keep the Canberra community informed. I am not aware of anything similar in any way, shape or form.

Ms ELLIS—And the Lyons Recovery Centre offered no advice to people who may have been in that position?

Mr Menzel—Not that I am aware of.

Ms ELLIS—Okay. We might look into that further. Thank you, David.

Mr MOSSFIELD—Could you describe the working relationship between volunteers, the RFS fire control centres and the National Parks personnel, say, prior to the fires? The general working relationship between all the groups is what I am looking at.

Mr Menzel—I keep fairly much to myself out there. I am not terribly aware of the relationships. As somebody who is not qualified—I have not done the training to serve on the bushfire brigade fire tank—I do find it a little bit strange that I cannot assist. I am sure it is for legal reasons that I cannot set foot on a fire tanker out there to help in any way, shape or form. I know our litigious society and I know there are reasons for that, so I understand that. I have had no real problems communicating with people in any of those instrumentalities, whether it is Peter Smith and the Brindabella Bushfire Brigade or others.

I support it by taking out my membership and so on but I have never done the training. I have attended many National Parks meetings over the years. A few weeks ago I attended the Namadgi National Park management committee public consultations. So I work very closely with those bodies—I have attended many Kosciuszko National Park management meetings. I have no problems at all communicating with those people.

Mr MOSSFIELD—So you are in close contact with people who work for the National Parks and other groups?

Mr Menzel—Yes, over the years, very close.

Mr MOSSFIELD—Would you describe them as people with the highest reputation and dedicated to their particular roles?

Mr Menzel—I think that particularly the people on the ground are working with the best of intentions. If I have any problems with those organisations, it is with the management of them. I certainly do not have a problem with any of the officers on the ground.

Mr MOSSFIELD—You would be aware of the pressure on senior managers of various organisations to contain costs in whatever role they are involved in?

Mr Menzel—Certainly.

Mr MOSSFIELD—Do you think that senior managers would not make any decisions that would add to the costs of running their particular department?

Mr Menzel—I find that difficult to answer. At times there could be political reasons why one would do things that would indeed add cost to make a political point. I am sure that managers of organisations at that level are not beyond that.

Mr MOSSFIELD—What I am saying is that you and I, as members of the general public, are aware of the political pressure on people in major government departments to contain their costs. It is an ongoing thing. They would hardly make any decisions that would add to the costs of running their department.

Mr Menzel—I am sure that they would try not to.

Mr MOSSFIELD—Are you aware of any interagency meetings that took place during the course of this fire between the National Parks and Wildlife Service, the RFS, those in the ACT and other organisations?

Mr Menzel—No more than I have heard on the radio or read in the paper. I think I said in my submission that my family was busier than busy over a period of some three weeks there, and we were just protecting our own properties and buildings and so on. I had no more information about what was happening at those levels than I might have heard on the news. I do not think that I even read any papers during that period.

Mr MOSSFIELD—I think you draw attention to the different approaches that the National Parks and the Forestry Commission took to fighting fires. Do you think that would have been due to some legislative constraints? They each would have had a different role, a different vision and a different duty to perform to protect public interests. For example, National Parks might take a different approach to the forestry industry in fighting a fire, and it might be their designated role to do so.

Mr Menzel—Yes, I am sure that they have different perspectives and different priorities and that could be part of the reason why they reacted differently.

Mr GIBBONS—I am interested in this story that you relate in your submission. You have stated that the National Parks and Wildlife Service and the Rural Fire Service withdrew and left

you to battle the fire. Those vehicles would be equipped with two-way radios and at least some of the personnel would have mobile phones, wouldn't they? And if they withdrew, wouldn't it be because they had been directed to by their commanding authority? They would not have made the decision themselves just to pack up and go.

Mr Menzel—We had no vehicular support by those services. The support that we had was really from the helicopters.

Mr GIBBONS—But in this part of the submission you said:

They left with their fire tankers, 5 or 6 utes with 'slip-on' tanks, grader driver, dozer driver and all personnel.

Mr Menzel—Yes, that was the New South Wales Forestry Commission, not the Rural Fire Service and National Parks.

Mr GIBBONS—What prompted the National Parks and Wildlife Service and the Rural Fire Service to leave?

Mr Menzel—I would imagine other priorities that they saw—

Mr GIBBONS—In other words, they would have been directed to by their commanding authority?

Mr Menzel—I would presume so. I do not know; I would be guessing.

Mr GIBBONS—I am a bit intrigued by your comment on page 5 about professional firefighters old saying of 'all we want for Christmas is a good fire'. I think that is a little unfair. I imagine those personnel would be full-time employees of the organisation and would be paid whether there was a fire or not. Would that be right? I can understand that the saying is said in good natured terms but—

Mr Menzel—I do not think that statement would be entirely correct, because I believe that in an actual fire situation there is a lot of overtime and a lot of weekend work. There are a lot of additional costs that are incurred to their employer organisation. In fact, they would have received more than they might if there were not a fire. Again, I am not having a go at them. It is a flippant comment but it is one that one hears fairly regularly in a fire situation.

CHAIR—You have made a comment about the New South Wales coronial inquiry and your attendance at the Queanbeyan court on 7 March. What has been the wash-up of that? Have you had any further correspondence or contact with the police officers et cetera?

Mr Menzel—No. As I have said in my submission, I suppose I felt a bit as though they were not terribly interested in it. Trying to extract some submission forms from them was like trying to extract a tooth from somebody who does not want to have a tooth pulled. It seemed to me—and, again, this is very unkind—that they were more interested in perhaps going through the motions of ticking and crossing the boxes in appropriate places and saying that their job was done. A number of us had had very close experience of that fire and we could have contributed to that inquiry, but people really need to be encouraged to come—perhaps sought out or given a

phone call or something. I found it an unfriendly environment, in a way, and I have not taken any action to pursue making any submissions to it.

CHAIR—Did you ask whether you could make a submission?

Mr Menzel—Yes.

CHAIR—What was the response?

Mr Menzel—We certainly could. Eventually they did find some of the submission forms and I took some of those but I never followed through with it.

CHAIR—You did not do it because you did not feel that there was a will there to receive your input. Is that the reason?

Mr Menzel—Yes. In private, after that Queanbeyan session had finished, we sought out some of the police officers involved and chatted with them. Even then I felt that it was not worth my while, because there seemed to be an attitude of their having made up their minds on the outcome. They had received submissions, I believe, from the Rural Fire Service, and they seemed to be aligning themselves very much with that party. They were saying, 'They couldn't have done anything about it. It was this and it was that; it was totally unstoppable and the conditions were such and such.' I heard a story that said to me: 'Our minds are made up.' I am not going to waste my time in a situation in which I find that environment.

CHAIR—Do you know what the status is now?

Mr Menzel—No.

Mr GIBBONS—When the lightning first struck back on, I think, 8 January, would it be fair, in your view, to say that, if a skycrane had been available on that day, most if not all those fires would have been extinguished and we would not have had the problems we have had? Would that be a fair assessment?

Mr Menzel—I would say definitely yes. If early action had been taken, particularly on 8 January, it would have been a very different story.

Ms ELLIS—I would like to clarify a point in relation to the chair's questions on the New South Wales Coroner's inquiry. When you say 'they', who do you mean?

Mr Menzel—I am particularly referring to the police officers I spoke to.

Ms ELLIS—Not to the coroner?

Mr Menzel—No.

Ms ELLIS—I do not wish to be pedantic but you ended up saying, I think, that you had the impression—which you are right to form—that there was a certain reluctance. But there was no

stopping you from submitting a submission; they actually gave you the forms and if you had wished to persist, you could have.

Mr Menzel—Yes.

Ms ELLIS—You were just working on the impression that they did not really care if you did not?

Mr Menzel—I did. I guess I operate a bit from gut reactions.

Ms ELLIS—But there was no legal bar to you?

Mr Menzel—No.

Ms ELLIS—I just wanted to clarify that.

Mr Menzel—There was certainly no legal bar and I could have pursued it, but I guess I made the judgment: why bother? To me, there did seem to be a closed mind attitude by the police officers who, I believe, were charged with investigating what happened. They were part of it.

Ms ELLIS—At the end of the day the coroner makes the decision, not the police officer, I suppose.

Mr Menzel—Yes, but things can be written in this way or that way.

Ms ELLIS—Point taken.

CHAIR—Thank you very much, David, for your time this morning and also for your submission; it is much appreciated by the committee.

[12.05 p.m.]

ANDERSON, Mr Michael James (Private capacity)

BATES, Mr Thomas William (Private capacity)

KAVANAGH, Mrs Donna (Private capacity)

MURPHY, Ms Donna (Private capacity)

CHAIR—Welcome. Do you have anything to add to the capacity in which you are appearing?

Mr Bates—I am retired, but I worked for ACT Forests for a number of years.

CHAIR—We are running a little bit late and I apologise to you for having to wait. On behalf of the committee, I thank you again for the time and the hospitality that you gave us on Friday when we visited Uriarra. It was very beneficial for the committee to be there that day. I think you were here earlier when I read the formal bit with regards to evidence, so I will not go back to that. We have received your submissions. There are a number, with one from the community association and recounts of events by a number of individuals. Those have all been authorised for publication and form part of the evidence. We thank you very much for that. I know it has not been an easy task for any of you to undergo, but the committee is very appreciative of what you have been able to give us. To start off today, would one or all of you like to make some initial remarks or comments before the committee has an opportunity to ask some questions?

Mr Bates—I would like to start off. I think the people of Uriarra have done a tremendous job to save their houses—the ones that did save them. They should have been awarded a medal on the day. The fires at McIntyre's Hut, Bendora and Stockyard Spur all got going on the 8th. The McIntyre's Hut one was the largest of the three. It was sending up a fair cloud of smoke on the 8th, particularly in the afternoon at about five o'clock. It was burning on an upward slope. I do not think you could see the smoke from the Bendora or Stockyard Spur fires. It leaves a great deal to be desired that they did not get in and whack them that night. That is about all I have to say about them.

Ms Murphy—We were used for 10 days as a base for the helicopters. I think they came in on the Friday. We were assured that we were safe there and that they would help us if the fire did come, but on the morning of the 18th they all left. They completely left us; fire nozzles were taken and our water was drained by the firefighters. Obviously it was not their fault; they must have thought they were able to use it, but that was our own water supply, and we were left to fight for ourselves.

Mrs Kavanagh—I asked some firies who were walking up my laneway what the situation was. They assured us that everything was calm and told us to water everything down. They tested the fire-hose that was near my premises. We were assured that they would be there to help us, but instead we were left there by ourselves. We lost all water pressure and had no nozzle, so we had to go and search for one. We were basically left there.

Mr Anderson—I was just the same as everybody else. We all had a sense of security, with all the action that was going on previous to the Saturday, and it was very disturbing to be left behind—if I could put it like that—to fend for ourselves.

CHAIR—When the committee left the settlement on Friday, I observed, and maybe others observed, that there is a fairly large dam on Uriarra Station. Firefighters were there for 10 days and, as I recall, they were from the ACT and New South Wales. Is there some reason why they did not access that water rather than using the town water? Was there any discussion about their use of water?

Mr Bates—It was easier to get the water from the hydrant than to pump it out of the dam.

Ms Murphy—And I think they were told not to take water from the dam.

CHAIR—When they left on the Saturday morning, where did they relocate to?

Ms Murphy—Who knows? They just did!

Mrs Kavanagh—We were stuck at the intersection leading out of the premises. After the fire had gone through Uriarra, all the fire trucks had then come out of the homesteads situated there.

Ms Murphy—Whether they were the same fire trucks, we do not know. We do not know whether they were already up there. There were people's lives and houses at stake, and they were hosing down cattle yards! Where is the sense of importance?

Ms ELLIS—I have a number of questions and I will try to get through them fairly quickly. Some I know the answers to, but I want other people to understand. Firstly, starting with Bill, could you each tell us how long you have lived at Uriarra?

Mr Bates—I have been there for about 50 years.

Ms Murphy—I have been there for 12 years.

Mrs Kavanagh—In February it would have been a year.

Mr Anderson—I have been there for 37 years.

Ms ELLIS—How many houses were there in the settlement, prior to the fires?

Mr Bates—There were 22.

Ms ELLIS—How many are there now?

Mr Bates—I think there are six left now.

Ms ELLIS—Are people still living in those six?

Ms Murphy—Yes.

Ms ELLIS—When we were out with you on Friday on our little tour, you mentioned—and you have stated it today—that there were fire units there for 10 days and that there were helicopters. Helicopters do not need to go to a hydrant—they actually scoop. Do we know why they did not scoop from the dam just up the road?

Ms Murphy—Because they were told not to. And they were told to put water back.

Ms ELLIS—That is your belief?

Ms Murphy—Yes.

Ms ELLIS—When we were out on Friday you mentioned, as you have now, that at some point on the Friday they got up and went.

Ms Murphy—Yes.

Ms ELLIS—You also mentioned that before or after that they were fighting the fire up the road at a rural property.

Ms Murphy—That was on the Friday night.

Ms ELLIS—They were not doing any precautionary work around your area at the time?

Ms Murphy—No, not at all. Nothing.

Ms ELLIS—How many units were involved in that particular fire battle up the road? Do you know?

Mr Bates—There were probably eight or 10 fire tankers. They were all from New South Wales.

Ms ELLIS—At the same property where the dam is?

Mr Bates—Yes.

Ms ELLIS—Do you know how long they stayed there?

Ms Murphy—I would not know.

Mr Bates—No. I could not determine that.

Ms ELLIS—But they did not come back into your settlement again?

Mr Bates—I was not there.

Ms Murphy—Not unless they did during the night. They were coming and going at night-time.

Ms ELLIS—Did any of your residents stay through the fires?

Mr Bates—I did not.

Ms ELLIS—Did any of you?

Ms Murphy—The three of us.

Ms ELLIS—Bill, you were not there but the other three were. And you did not see any of those units come back in during that time?

Ms Murphy—No.

Ms ELLIS—You were on your own.

Ms Murphy—We were alone, completely.

Mrs Kavanagh—We were told that police had gone in there to inform us to evacuate, but there was no sign that police cars were in there. We assumed that we should stay, water everything down and be calm and try to do that. Even when we rang 000 it was the same thing: we should stay put in one spot. But there were a number of people surrounded by the fires.

Ms ELLIS—Bill, you have been there for 50 years. This is not the first fire that has come near the settlement, is it?

Mr Bates—Yes.

Ms ELLIS—It is the first one to come that close?

Mr Bates—Yes.

Ms ELLIS—How close have they come in the past?

Mr Bates—They have never let them come in that close.

Ms Murphy—The whole mountain has gone up.

Mr Bates—There have been fires around the area—small fires—

Ms ELLIS—But you have always felt protected, you have fought them or what?

Mr Bates—We have always put them out.

Ms ELLIS—I have one last question, because I want to hand over to my colleague, but I feel that we have to talk about the recovery process. Many of us are aware of the enormous concern now about the future of Uriarra and that there have been decisions made that suggest—I do not think it is written in stone—that the question of rebuilding Uriarra is probably not on. They were government owned houses. You are also all obviously aware of the confusion, the different information, about who owns the land, who owns the houses and who is liable.

Ms Murphy—We know all about that.

Ms ELLIS—Do any of you want to talk about that?

Mr Anderson—We had a fight; we argued with the ACT government about 10 years ago—

Ms Murphy—No, it was only—

Ms ELLIS—Four years ago.

Mr Anderson—and we came up with a decision that we could stay there. We would have to put a few more houses in. The bottom line was that they said we could stay there. Since the fires have gone through, I do not know what has changed but now they say they do not really want to put the housing back. It is very distressing.

Ms ELLIS—Do any of you want to say anything about the reasons for that?

Mr Anderson—I think they put it down to cost. They keep saying that they do not know exactly who owns the land, which is why they could not put the houses back with the insurance money from the bushfire—because they could not understand who owned the land. That is what we were led to believe.

Ms ELLIS—Mr Chair, the committee might need to get further information on this to understand it, because it is an integral part of their submission as well. But the question is that, over the years, with the evolvement of self-government, with the original intention of the settlement being forestry and crown land, designated land, territory land, national capital land, there was massive confusion about who owns the land and therefore who should in fact be putting houses on it. We all acknowledge that.

Mr Bates—Yes.

Ms Murphy—Yes.

Ms ELLIS—For the sake of the record, I need to say that, whilst I have sought and got information from the ACT government on who owns the land, I have sought and not yet had—after two months—a response from the Commonwealth as to who owns the land. I am continuing to pursue the federal minister for that very purpose, because until we get information—and I am happy to talk to the community at any time—we cannot pursue any further the possible future of Uriarra, which I think should exist.

Ms Murphy—Yes, exactly.

Mr MOSSFIELD—I thank the community for their hospitality on Friday. Tom, you mentioned that the fire at McIntyre's Hut started on an upward slope.

Mr Bates—Yes.

Mr MOSSFIELD—What is the significance of that to us city people?

Mr Bates—I was coming home—

Mr MOSSFIELD—Was this on the 8th?

Mr Bates—Yes. I could see smoke blowing towards Yass, a good volume of smoke. I knew then it was burning up in smoke.

Mr MOSSFIELD—Did it appear to be a major fire from your point of view?

Mr Bates—It was at a fair hop, yes. There were probably 100 hectares or so alight.

Mr MOSSFIELD—So that was a short time after the fire started?

Mr Bates—It was about five o'clock that I was coming home.

Mr MOSSFIELD—There has been some comment made that it actually would have been too dangerous to send a fire crew in to attack the fire, even within a couple of hours of it starting.

Mr Bates—I do not believe that. I have fought fires out there since back in the fifties. We had the big fire of '52. We fought that with horses and rakes. We did get a couple of dozers in there towards the finish, and we put in trails. We have got trails all through that country.

Mr MOSSFIELD—What year was that?

Mr Bates—We put some trails in in 1952. The dozers were not too good in those days.

Mr MOSSFIELD—Who fought the fire in those days—volunteers?

Mr Bates—There were no volunteers in those days.

Mr MOSSFIELD—Who were they?

Mr Bates—They paid departmental blokes.

Mr MOSSFIELD—Who were they employed by?

Mr Bates—A good deal of them by Forestry. There were a lot of works department and city parks blokes and people like that.

Mr MOSSFIELD—In spite of all that, you do agree that the latest fire was a fairly fierce fire in its very early stages. That was your experience.

Mr Bates—That was at five o'clock in the afternoon. It would die down in the night-time. They always die down in the night-time, particularly if there is no continuous wind.

Mr MOSSFIELD—We noticed when we were out there that the forest was right up to the boundaries of the school and the houses.

Mr Bates—That is right.

Mr MOSSFIELD—Who made the decision to have trees that close?

Mr Bates—The Forestry director.

Mr MOSSFIELD—They had been there for a long while, hadn't they?

Mr Bates—Probably 10 years or more. He should have been out on the oval on the 18th.

Mr MOSSFIELD—Had you made any submissions that that was dangerous?

Mr Bates—Yes. We told him what would happen. We continually told them that the place would get burnt out.

Mr MOSSFIELD—That it was only a matter of time.

Mr Bates—Yes.

Mr MOSSFIELD—In January this year, was the community as prepared or as well resourced to deal with the bushfires as it had been in previous years?

Mr Bates—No.

Mr MOSSFIELD—Why not?

Mr Bates—Over the last 30 years things have been deteriorating. I suppose lack of money is the main answer.

Ms Murphy—In the 12 years that I have lived there, I have seen one lot of firefighters from the ACT Fire Brigade look at fire hoses. That was it. We got to a stage with ACT Housing where we would have to beg to get the grass slashed. They did come out a week before the fire and slash the grass with a lawnmower. They did attempt to put a firebreak in out the back, but it is one car lane in width. What was that going to do? Nothing. They just have not maintained the place—plain and simple.

Mr MOSSFIELD—Is there a local bushfire brigade that would also do it?

Mr Bates—No. We are all controlled by emergency services.

Mr MOSSFIELD—So you have not been able to have your own firefighting brigade?

Mr Bates—No.

CHAIR—Bill, you have been there for 50 years. Could you tell us what used to happen with ongoing hazard reduction in the northern Brindabellas?

Mr Bates—In the mid-seventies, all the hazard reduction—burning and things like that—stopped. Before the mid-seventies, we used to burn the whole lease area. That was leased by what was then called the Bushfire Council.

CHAIR—This was when the ACT Bushfire Council had a lease over the New South Wales crown land?

Mr Bates—Yes. It used to go from just down on the border of Wee Jasper right through to Bimberi. We had a two-chain break running from Mount Coree through to Mount Franklin. We used to clean it off every two or three years, back-burn along the break on the western side and then aerial burn it back down the slope.

CHAIR—That all stopped when the ACT Bushfire Council handed it back over to—

Mr Bates—The ACT Bushfire Council let the lease go in 1996, I think.

CHAIR—Was that process stopped from that point?

Mr Bates—Yes.

CHAIR—As far as you are concerned, since that occurred and the New South Wales Parks and Wildlife Service have taken control of that land, there has not been any of that prescribed burning at all?

Mr Bates—There has been none whatsoever.

CHAIR—Regarding land tenure at Uriarra, is ACT Housing in control of those houses?

Mr Bates—Yes.

CHAIR—Do you pay rent to ACT Housing?

Mr Bates—Yes.

CHAIR—I am a bit perplexed about why there is some question about land ownership. Surely if ACT Housing own the properties and charge you rent, they ought to know the status of the land tenure.

Ms Murphy—Yes.

CHAIR—And who collects the rent.

Ms Murphy—Exactly.

CHAIR—I am sorry, but I am a bit perplexed by Annette's comment about the Commonwealth government, because presumably the ACT government can tell us what they do and do not own.

Ms ELLIS—Correct me if I get any of this wrong, but the houses were originally forestry houses, not ACT houses, and they eventually went across to ACT Housing.

Ms Murphy—That is right.

Ms ELLIS—The land upon which they stood was forestry land, and there seems to be some absolute conflict—there is no doubt about that—between the federal level and the ACT level as to what happened to the legality of that land and whether it was handed over during the changeover to self-government, when a lot of land was in fact transferred. If you ask the two authorities, you will get conflicting advice, so we are seeking it in writing. Is that basically it?

Ms Murphy—ACT Housing has taken most of the responsibility in the last few years.

Ms ELLIS—But there is a view that it has not been handed over to the territory completely as land. That is what we are seeking to clarify.

Mr BARTLETT—Mr Bates, you said earlier that there had been intense fires before, but you had never let them come that close. I think you said—and I want to be sure of this—that they did not come that close because you had put them out early. Is that what you said?

Mr Bates—Yes. We used to have a huge manpower supply at Uriarra. We had three huge tankers, and about the same with the light units. We had our own dozer and a grader on the float ready to go at the flick of a switch on those bad days. If a fire started up in the mountains, the lookouts would report it and we would be on our way within a minute.

Mr BARTLETT—Is it your view that, if that had happened this time, Uriarra would not have been as damaged as it was?

Mr Bates—Yes.

Mr BARTLETT—Your view is that it could have been put out early?

Mr Bates—Yes.

Mr BARTLETT—One thing I find a little strange is that a number of your submissions and reports from a number of people from Uriarra refer to the fact that equipment—nozzles, fire hoses et cetera—had been taken. Mr Bates, you say that on Thursday, 16 January you saw someone remove the fire hose from the box in front of cottage 35. Mandy Annetts said that they

saw someone out the front of their house taking the coupling off the fire hose—I think that was on Saturday the 18th. Michael Anderson, you said that at 1.30 on Saturday the 18th you discovered the nozzles had been taken off. I think you went on to say that two young men managed to save their house and a couple of others using ice-cream containers as small buckets, which is an amazing feat.

Ms Murphy—That is how nearly all the houses were saved up there.

Mr Anderson—That is about how it was.

Mr BARTLETT—I think that is incredible. Presumably it would have been a lot easier if the equipment had been there.

Mr Anderson—Absolutely.

Mr BARTLETT—Donna Murphy, you said that hose fittings were missing, they were useless and so on. I am a bit confused as to what has happened here. Can you fill us in?

Ms Murphy—We do not know who took them. Another resident, Nicky Piggott, had been ringing Housing constantly for the week or two before the fires asking for her fire hoses to be replaced.

Mr BARTLETT—She had been ringing ACT Housing?

Ms Murphy—Yes, or Urban Services.

Mr BARTLETT—And they had not replaced the equipment?

Ms Murphy—They came the day before and gave her two hoses. But why did they not go around and check all of them?

Mr BARTLETT—Good question.

Ms Murphy—Apparently, they were given 21 hours notice to warn the residents. They gave us no notice.

Mr BARTLETT—There was not enough notice—

Ms Murphy—They gave us no notice—none.

Mr BARTLETT—and there was inadequate equipment to enable you to defend your houses.

Ms Murphy—There was none.

CHAIR—Bill, you mentioned all the equipment that you used to have and that, as soon as a fire hit anywhere, you would be on the road in a minute and have it out. Was that equipment owned by Forests?

Mr Bates—No. It was owned by the bushfire council.

CHAIR—Would most of the people who lived there then and who would have hopped onto it have been predominantly forestry workers?

Mr Bates—Yes.

CHAIR—Are the people who live there now—or, I should say, prior to the fires—still predominantly forestry workers?

Mr Bates—No, there is no-one there now.

CHAIR—No-one at all?

Mr Bates—No.

CHAIR—Michael, you said that you have been there 37 years, so you must have basically been born there?

Mr Anderson—I moved there when I was one or two—I do not remember. I have been there a long time. As Bill said, I can remember seeing all the men out on their verandas on stand-by, waiting for fires. They would hear a bell, a tanker would come around and pick them up, and away they would go. We always felt safe. We never thought a fire would get that close. In 37 years with forestry workers and everybody else there, fires never got within a bull's roar of Uriarra. I think the closest one would have been about 10 or 12 kilometres away.

CHAIR—With respect to rebuilding or not rebuilding, has the argument been put to you that perhaps it is too dangerous to rebuild there?

Mr Bates—No.

Ms Murphy—No, it has not. But if there was better control—trees should not be planted right up to the boundaries, especially of a primary school, which is not running at the moment. Trees were planted all the way around the boundaries of the settlement.

Mr Bates—Within 100 metres on all four sides.

Mr Anderson—A little help would not have gone astray that day either. It would have gone a long way.

CHAIR—Obviously it was not too dangerous for at least 50 years before 18 January, was it?

Ms Murphy—No.

Mr Bates—No. That will be the cry now.

Ms ELLIS—At the risk of being a bit critical, there are studies under way about the future use of land around the territory, and that is good. It has to be done, given what has happened. I do not know whether anybody has run this argument, but any argument that says that we do not yet know what to do with Uriarra because we need to work out what is going to happen around it is not affecting rebuilding in Eucumbene Drive in Duffy. I do not understand why it would not equally apply for Uriarra. The other thing is that I am really anxious and concerned about the apparent stealing of equipment from the township. Maybe Housing should have given more hoses out, but who the hell took the stuff in the first place? Do you have any idea? Be careful here.

Mr Anderson—The way I look at it, maybe some of the fire brigades and fire trucks—whether they were volunteers, rural or whoever—had lost bits and pieces during those few days and needed to replace them.

Ms ELLIS—Could it be land-holders? I am not blaming anybody.

Ms Murphy—The way we were treated when we came out of Uriarra settlement by the people at Uriarra Station—

Ms ELLIS—I do not want to target anybody specifically. It is just that it is extremely alarming to know that equipment that was put there for a specific reason disappeared over an apparently short period of time.

Ms Murphy—Yes.

Mr Bates—Those hoses have not been replaced to date.

Ms ELLIS—With the greatest of respect, there is almost nothing there to put out now. That is the sad and terrible truth.

Mr Bates—Yes, but there can always be a house fire or something.

CHAIR—There are still six houses there.

Ms ELLIS—That is a valid point.

CHAIR—Thank you very much for coming in and giving us your thoughts and your submissions. We very much appreciate it. Thanks again for showing us around on Friday.

Proceedings suspended from 12.34 p.m. to 1.25 p.m.

DOUGLAS, Mr Mark Ralph (Private capacity)

GARRETT, Mr Paul Robert Francis (Private capacity)

BOYLE, Mr Michael Dorrington (Private capacity)

CHAIR—Welcome.

Mr Douglas—I am a resident of 90 Eucumbene Drive, Duffy. My son and I were trapped at our residence by the fires. He and I saved our house and he then went from our house to his own house in Lyons, which was further threatened by the fire.

CHAIR—We might come back to that detail in a moment, Mr Douglas.

Mr Garrett—I am still residing at 92 Eucumbene Drive, Duffy, next door to Mr Mark Douglas. Our house is directly in front of him if you look at the direction from which the fire came.

CHAIR—Okay, we will come to that detail in a second. Although the committee does not require you to give evidence under oath, I should advise you that these hearings are formal proceedings of the parliament. Consequently they warrant the same respect as proceedings of the House itself. It is customary to remind witnesses that giving false or misleading evidence is a serious matter and may be regarded as contempt of parliament. We have your submission, which we have called No. 8, which was signed by Mr Douglas, Mr Garrett and Mr Tuckerman. That has been authorised for publication and will form part of the evidence that the committee utilises in its deliberations. For today, would you like to make some brief opening remarks and then the committee will want to ask you some questions.

Mr Douglas—Thank you, Mr Chairman. First of all I would like to thank the committee for the opportunity to discuss our submission. We put similar submissions in to the ACT Coroner's Court and the McLeod inquiry and have heard nothing further from either. We have given the committee some brief notes of the submissions that we would be putting orally today. By way of introduction, I would point to paragraph 2B of those notes, which summarises the way that we feel about the situation. Essentially the major factors were lack of preparation and planning, and there I refer to submission No. 79 by Mr Michael Boyle, particular page 1 of that submission, which details that in rather more detail.

We knew that it was not if but when we were to be hit by a fire. We thought, naively, that there were effective firefighting resources in New South Wales and the ACT to protect Canberra. We thought that at least the national institution of Mount Stromlo would be protected by Commonwealth authorities and that the local forests headquarters on nearby Cotter Road would be protected by local authorities, thus providing us with some degree of protection. I guess that sums up our position.

Mr Garrett—I want to slightly digress from Mr Douglas's statement. I did not know if or when; I was quite happy in the belief that the authorities that I thought were in control of the

situation were in control of the situation, so I was quite surprised when the firestorm arrived at my front door. Otherwise I agree entirely with what he said.

CHAIR—You started to mention that you are next door to Mr Douglas and that you have remained living there, so your house was saved.

Mr Garrett—Yes.

CHAIR—I know you have provided a submission, but do you want to talk about the differences between your house and other houses in the area?

Mr Garrett—Yes, I do. Before the fire arrived, according to my initial submission, we walked five minutes down the road to the corner of Warragamba Avenue and Eucumbene Drive. We were told that the fire was an hour or an hour and a half away and that we had plenty of warning to evacuate if that was felt necessary. I would suggest that within 15 minutes the fire was across the road in the forest and we were battling to save our property. Our house is sited lengthways on the property. Mr Douglas's house and houses on either side of us for some way face Eucumbene Drive. Ours is end-on to Eucumbene Drive so we have a fairly large driveway and that, I think, helped us to save our house from destruction.

CHAIR—So you had a lot more room between your house and the adjoining houses because the narrow part of the house is facing Eucumbene Drive and the long part of the house is going back into the block.

Mr Garrett—That is right. The fact is that we were there to fight it. I recall a statement given by some CSIRO fellow yesterday, which I heard on the radio this morning, on the siting of houses. My personal view is that the siting of houses did a lot to help save them, besides the fact that people were there to assist.

CHAIR—So you stayed there the whole time?

Mr Garrett—Yes.

CHAIR—The CSIRO also said in their evidence that all of the houses burnt from ember attack. What is your view of that?

Mr Garrett—I would tend to agree with that. The house next door to us, No. 94, did not start to burn until sometime after the initial fire front went through. I believe that was caused by embers in their gutters and also the fact that none of the gas was turned off. Their gas meter, which is on the front of the house—like most of them are—started to burn and that assisted that house burning. As I said in my submission, both my daughter and I tried to put out what we thought was the initial impact of the fire on the corners of the house but when I saw smoke coming out from under the roof in the centre of the house I knew there was no amount of water we could put on that would save it.

CHAIR—Had those next-door neighbours been at the house and evacuated?

Mr Garrett—No, they were on holidays down at Batemans Bay and had been there for two weeks before the fire.

CHAIR—What about other houses in your area?

Mr Garrett—The occupant of No. 96 told his wife and son to leave and he stayed. He saved his house. Mr Douglas and his son, Simon, who were on the other side of our house, saved their house as well and possibly saved some of our house because the wooden fence dividing our houses was very close. There were only probably two metres between our house and the fence and another three metres between the fence and Mr Douglas's house. That fence did burn but, because the efforts of Mr Douglas and his son, and the efforts of my wife, who was on the ground with buckets, they managed to put that fence out. That was a wooden fence covered with a fair amount of jasmine, and all the jasmine just went 'Poof'. The fence started to burn but was put out. All our fences were wooden—and I might be slightly digressing here—and were all very close to shrubbery, grapevines, wisteria, whatever, and they all just disappeared, disintegrated. Only the cement posts were left. We were lucky that our houses were so close together that the wind could not get the embers around.

CHAIR—Did the water pressure remain okay?

Mr Garrett—The water pressure for us was the same as it always is—pretty poor—but there was enough to reach our house. I could not reach the house next door, No. 94, with my hose because the pressure was so low.

CHAIR—But you say that is normal anyway?

Mr Garrett—Yes. Honestly, at the time I could not remember the pressure being any weaker or stronger than it usually was. In effect, it might have been stronger because a lot of other people in the street who would have used water were not there.

Mr BARTLETT—Gentleman, as part of your submission, you ask 33 questions. I am not sure if they are rhetorical questions or not—

Mr Douglas—They are not rhetorical, they are their raising the issues that we saw as crucial. We did not have the answers so we thought we would ask the questions.

Mr BARTLETT—That is exactly the point that I want to make. I think you have 33 very pertinent and poignant points there. I would like to ask a couple of them back to you, if I can.

Mr Douglas—Certainly.

Mr BARTLETT—You have suggested here in question No. 3 that after the fires of the summer before—December 2001—which came from roughly a similar direction, there should have been some precautionary action taken. Are you aware of whether any actions were taken indicating that lessons were learnt from that earlier summer?

Mr Douglas—I will simply say no. There was no evidence that we could see of anything that was done to ameliorate that. In our notes for our submission today, under (2)(c), The adequacy of

hazard reduction, we make the point that hazard reduction has been used very effectively in all sorts of situations over many years and has been successful in limiting the ferocity of fires. This was not the case: there was no hazard reduction.

Mr BARTLETT—So there is no evidence that lessons have been learnt from the summer before—

Mr Douglas—There was simply no evidence at all.

Mr BARTLETT—And with regard to question 4, no evidence that additional precautions were put in place due to the drought.

Mr Douglas—Absolutely not.

Mr BARTLETT—Another very pertinent question is No. 22:

When were the fire hydrants on Eucumbene Drive last identified and checked and by whom?

Could you expand on that?

Mr Douglas—The reason that we asked that question was that about 20 minutes before the fire—and I checked this—there was a small fire tender with a trailer attached to it that came along Eucumbene Drive ostensibly connecting the fire hydrants. It connected one next door to us—not on Mr Garrett's side. When the fire came it vanished—quite prudently, I do not argue with that. But it left the fire hydrant on with a short length of hose and no nozzle. There was a fire hydrant outside Mr Garrett's house which, if connected, would have given us enough water to save the house beside him. It was not connected, and we suspect that they did not know where it was.

Mr BARTLETT—So you had one that was not connected and one that was connected without a nozzle?

Mr Douglas—Exactly.

Mr BARTLETT—If the equipment had actually being connected and fitted properly in those cases, you may have—

Mr Douglas—We certainly would have saved one house and it would have made our lives much less miserable.

Mr BARTLETT—So really there are some serious questions to be asked in terms of the preparedness of the authorities for the residents of Duffy.

Mr Douglas—I would have thought so, yes.

Mr BARTLETT—I have just one other question to ask—again following on from your questions here. It is regarding weather warnings two to three days before the wind changed around. Presumably the weather forecasts indicated that the wind was going to turn around and

come from the north-west. Was any indication given to residents of Duffy a couple of days beforehand that that change in weather conditions would occur and what the likely impact of that would be?

Mr Douglas—The answer is no. Obviously we all watched the weather forecasts. What we saw is that what is effectively pretty normal weather for that time of the year, which is often strong north-westerly winds, was coming, but beyond that we had absolutely no warning at all that Eucumbene Drive was a fire risk and seen as a fire risk by the authorities. There is at least one report that was shown to us by a Channel 7 news reporter the next day, when they were filming, which was an internal memorandum of the ACT government that identified Warragamba Ave and Eucumbene Drive as two of the most significantly high fire risks in Canberra.

Mr BARTLETT—How does it make you feel, that you were not adequately warned?

Mr Douglas—On the day I felt a great deal of empathy with people who were volunteers in Vietnam. They were there and had to fight because, if they did not, they would go down. I empathised with that. I also felt—and I think Mr Garrett had the same feeling—that we were completely abandoned and alone. The first fire tender I saw on Eucumbene Drive after the fires was at a quarter to nine at night, on our stretch of Eucumbene Drive.

Mr BARTLETT—I think you said in your introductory comments that you and your son were trapped in your house. Presumably that was because of the lack of appropriate warning.

Mr Douglas—Absolutely. We were told 20 minutes before the fire front hit, by that group of firefighters, that we would have plenty of warning, the fire was about seven kilometres away, we would have an hour and a half at least and the police would be along to alert us. Twenty minutes later it was there. I thought that was fairly optimistic at the time, because you could actually hear the roar and see the black smoke coming.

Mr BARTLETT—It must have been a horrific experience.

Mr Douglas—It was not a good afternoon.

Mr Garrett—Can I just add something to what Mr Douglas said. There was a fire hydrant outside our house. It was not identified. The little sign that said 'FH' was buried under grevilleas et cetera. There was no blue spot in the middle of the road, as all the other fire hydrants are identified—not that it would have made any difference because it was so dark and there were no lights. That fire hydrant is still there. Unfortunately, since the clean-up it has been broken and there are just lumps of cement there. But the fact is—as Mark said—if that was there, if it had had a standpipe on it and if there were a hose and a nozzle on there, we could have done a lot to save No. 94. The other statement that Mark made was that we were told down at the corner of Warragamba and Eucumbene that the fire was an hour and a half away. That was the last time we were told anything. I am not too sure who told us that, whether it was one of the locals standing around watching or the fire people that were there.

Mr BARTLETT—How long after that warning of an hour and a half did the fire hit?

Mr Garrett—About 15 to 20 minutes. I do not know if you have the satellite photograph taken of Duffy which was published in the *Australian* a couple of days afterwards. As I hold it up I will point out—you can probably see it from where you are sitting—the corner of Eucumbene Drive and Warragamba. Over on this side, which I point to, is a large, cleared area with power lines. This area here was forest which was logged a year or so previously. It was logged but not fully cleared. We walked down this track here on the morning of that Saturday, and the grass in that cleared area was at least a metre high. As you probably realise, after a long drought it was pretty dry.

A small amount of forest was left here, as you can see in the top left-hand corner of this photograph, compared to this bit down at the bottom of the photograph. That end of Eucumbene Drive did not lose that many houses. Around the corner on Warragamba it was almost total devastation. These houses at the bottom of the photograph were saved. Look at the forest in front of those houses. That fire came down in the direction I am pointing, on the ground here, in the tops of the trees here. We were fortunate because the fire did not get up to the top of the trees until it got to where I am indicating. Then, I believe, it went over us into Somerset Street, the next street down.

As I said earlier in my statement, I think there were quite a few things in our favour: the fact that the forest was thinner in our area, the fact that our house was built differently and the fact that we were there and fought it. Those things saved our house. But no way were the poor people down the other end of Eucumbene going to save their houses, because the fire, once it got into that large area of forest, just went straight through.

Getting back to what I was saying, we had no warning of evacuation. We had no warning even that the fire was near us officially, except when we went and talked to the people down the end of the road. We walked back to our house and sat down to have a bite to eat, because we thought the fire was a long way away. Like Mr Douglas, our car was in the garage with the electric door down. By the time we realised what was happening, it became so black that the security lights came on and shortly after that they went off because the power lines had disappeared. So the garage door was down and locked and there was no way that I was going to open the door with the fire coming straight towards the garage. I would have then had to back up the driveway and follow the fire down Eucumbene drive towards Hindmarsh Drive. As far as my wife, my daughter and I, who were there at the time, were concerned, nobody gave a stuff where we were—we were abandoned.

Mr Douglas—Following on from that, there is the question of when Eucumbene Drive was abandoned. This is based on what was said by one of the residents who tried to get back in and was stopped at a roadblock and was told, ‘Don’t bother going up there, it’s all gone.’ So we did feel abandoned. Adding to what Mr Garrett said about leaving and staying: it was not a black-and-white issue. I do not think anybody can say that you should stay or you should leave. If you stayed and, as he said, the topography and the angles were right, you were relatively safe. My garage doors slipped open and had I not been there to pull them down when the power went off my garage would have filled with cinders. The burning undergrowth from the forest was about three metres high and it was coming down my driveway, and if that had got in under the garage we would have lost the house.

However, I was not overwhelmed, as a friend of mine in Chauvel Circle was. He was standing outside his house and the fire was coming from both sides, and he was totally overwhelmed, so whether he stayed or not did not make any difference in the end. I caution against saying that you should stay or you should leave. It all depends on the circumstances. If we had been hit full-on by the fire front there is no way that we could have saved the house. The fuel build-up was a real concern. A fireman interviewed on the radio a day or two after described what happened on Warragamba Avenue as:

> ... a wave of flames bursting from the top of the pine trees which flowed over the houses and splashed deep into the suburb.

That is what happened that day. The houses at the back of us in the street behind burnt probably about an hour later when the gas caught fire from the sparks, so they went up well after the fire front went through.

Ms ELLIS—I thank you both, and will you please pass on our thanks to Mr Tuckerman. I suppose it is needless for me to say but I think I should say that reading the evidence from people like yourselves is a very chilling experience. I have been saying to my colleagues on the committee that they should read the community book that has been put out. It replicates many times over your personal experiences, and if you were not here it is not until you actually read these testimonies that you understand what people like you went through. It is not easy, so I thank you for being here. How long have you been in your houses? How long have you lived there?

Mr Douglas—We have been there for about eight years.

Mr Garrett—I have been there since March 1983.

Ms ELLIS—And Mr Tuckerman would have been there for around the same period of time, wouldn't he? He is in Somerset Street behind you, isn't he?

Mr Garrett—That is right. No. 53 Somerset Street is exactly behind No. 92. I must admit that we never knew our neighbours until Sunday, 19 January. We could hardly see them because of all the shrubbery and trees et cetera—

Ms ELLIS—And just general life activities.

Mr Garrett—that is right—that had grown up round the houses.

Ms ELLIS—I must confess that I got to know my neighbours very well on 18 January. We have a different relationship now from the one we had, which was almost the same as what you are saying. And that is being said all round town.

Mr Garrett—Alluding to what Mr Douglas said about preparation, you just have to drive through parts of Kambah to see the shrubbery and the stuff growing around houses. For 20 years we never thought of having any problem with that.

Ms ELLIS—There is one gentleman in particular about whom I could say, 'Don't go up to him and ask him what he thinks of brush fencing.' He had a house on a battleaxe block in Chapman—it was a very big house with a tennis court and big gardens—and he said the brush fencing was like an incendiary bomb throughout the whole of the block.

Mr Garrett—Mark tends to like Colorbond fences. I am not particularly fussed about Colorbond. I would prefer wood, but everybody around my area has had a love affair with BHP steel. I think that, if it were not for the shrubbery around the fences, the wooden fences would have withstood the fire because it went through so quickly. As everybody says, it was the bits and pieces afterwards that caused the fences to go.

Ms ELLIS—Understandably there has been a lot of comment about pine forests and the proximity of forests to housing in the ACT. Is it possible for you to give us your view about the pine forests around Duffy prior to 18 January and post 18 January? It is a hard question, because you need to divorce yourself from some thoughts post the event. How did you view the areas around Duffy prior to 18 January? Did you have a view about them at all?

Mr Douglas—A mixed reaction. One is that, since we have lost the pine forest, the north-wester is coming in and rattling the windows fairly dramatically. The sun is significant because it is facing west and we are copping the western sun. So, yes, it was good in that sense. As I said earlier, we always thought that it was not a matter of if but when it would go up. It just went up in a rather more spectacular fashion than we expected.

The answer to us seems to be hazard reduction. There was significant hazard all round that Forestry area on Cotter Road where Eucumbene Drive meets it. On both sides there was blackberry and there were fallen trees. It was a disaster waiting to happen, and that was just beside the Forestry headquarters. The open area near Warragamba Avenue did not help at all, because it just went straight over that. Beside Kathner Street, in Chapman, if you are familiar with that, there is an area of about 400 metres of open grassland. As Mr Boyle, who lived in Kathner Street, can testify, it just came straight across that; it ignored it. So you need not just a half a kilometre of open space; you need proper back-burning and proper clearance for several kilometres beyond that.

Ms ELLIS—Kathner Street is in the vicinity of the National Equestrian Centre.

Mr Douglas—Yes.

CHAIR—Maybe Mr Boyle, who put in a submission, might like to speak.

Ms ELLIS—Yes. If Mr Boyle wants to, he is more than welcome to do so. I was just saying for the sake of the committee that Kathner Street—please correct me if I describe it wrongly, but in the vicinity from where the fire came there was a large open area which would be the Equestrian Centre paddocks, which were not exactly lush with grass in drought.

Mr Boyle—Kathner Street is like the border of Chapman running up to Cooleman Ridge, which runs down into the property that you are talking about, which runs down between Kathner Street and Darwinia Terrace. On the other side of that is the end of the Duffy forest. It is a well-

grazed paddock. It is not terribly even but it is not an area that one would normally associate with having to fight anything other than a moderate grass fire, which we have done in the past.

Ms ELLIS—Exactly. Do you want to add anything to our discussion about what happened on that day or how you see the situation from where you sit now?

Mr Boyle—When the fire hit I was on the roof, dressed in standard bushfire fighting gear of T-shirt, shorts and sandals.

Ms ELLIS—Most of Canberra was.

Mr Boyle—I had watched the fire for 10 days, including through binoculars. People made certain assumptions. My assumptions were all wrong, but I think they were very common assumptions by the people Mark just talked about. I assumed that because of the fire the year before on the northern side of Stromlo, the fire authorities, who are professional and paid, would have taken that into consideration. There was always a possibility that the forests around Stromlo and then Duffy and Holder would go up. So I assumed that there would be contingency plans for that. I also assumed that they would never let the Stromlo observatory burn because it was an international and very valuable asset. I assumed that if they were going to stop the fire getting into Chapman they would hold Kathner Street, because there is 400 metres between Kathner Street—which has fire plugs in it—and Darwinia Terrace, so you could hold it from going down Darwinia Terrace.

I was wrong on all those assumptions. I realised I was wrong about five minutes before the fire hit us. I did not realise we were in serious danger until I saw flames coming out of Duffy, even though I had been on the roof for some hours cleaning stuff out. About a half an hour before the fire hit I found an old solar heater for the pool that had accumulated a lot rubbish and I was hosing that out. I did not see the fire coming. My son did; he was down the front. It came across that paddock at about waist high, blown by the wind, and it seemed to pick up even the earth and burn it. Then it just washed over us.

The comments that have already been made about the embers are correct. In one of my jobs I perhaps would have been known as a non-person but it was CSIRO who made me a non-statistic, because I fought that fire for as long as I could, as did my wife, my son and a friend—and we lost. We lost for several reasons. The water supply went down. Chapman reservoir was hit and it lost its seven-tonne roof, which was thrown about 50 metres, I think, and the pumps which are used to fill it burnt out. We were at the end of the flat, so everybody else was behind us. That was where the fire came up over the ridge and hit Chauvel Circle.

So we were between the two fires. I knew nothing about that fire until I happened to look over my shoulder. Even then I thought, ‘That’s a big grass fire for the ridge.’ There was a lack of familiarity and a lack of knowledge. Because so many of us have been contingency planners of some sort, we made assumptions that in a city of 300,000, with lots of resources and lots of water, somewhere along the line the people charged with responsibility for emergencies would have done their homework and their work. By the time you realise that is not the case your mind is preoccupied with a hell of a lot of other things which are of a more pressing urgency.

Mr McARTHUR—Speaking for the residents, why were you of the view that it would not be 'if' but 'when' we were hit by fire?

Mr Douglas—We held that view basically because of the build-up of underburden in the forests around and because there was no evidence of any effort by the authorities to actually do anything about ensuring that the fires did not hit us.

Mr McARTHUR—Speaking as residents in the urban area of Canberra, that was your view?

Mr Douglas—Exactly. The year before, we had watched a similar fire coming from a similar direction. We had a view out the back and we could see it go down past Government House and up to the Mint. That happened the year before, and we saw absolutely no evidence of any effort being made to ensure that that did not happen to us. So it was a matter of when, not if, as far as we were concerned.

Mr McARTHUR—You go on to say in your submission that there was no evidence of land management policies or practice designed to mitigate potential damage after the fires of the 1952 and December 2001 experience. Does that add onto that comment?

Mr Douglas—It certainly does. Again, I draw your attention to an article that was in the *Canberra Times*. On page 11 of the *Canberra Times* on 27 January, an article by Simon Grose was headed 'We didn't learn from the 1952 blowtorch', and that sums it up. Nothing seems to have been done. In terms of your criterion 2(d), which is appropriate land management policy and property protection, we said in our submission:

> There was no evidence of any land management policies or practices that were designed to mitigate potential damage from fires. This was particularly evident from the lack of action after similar fires in 1952 and December 2001.

There is a 1994 report entitled *Fire hazard reduction practices of the Australian Capital Territory government*. I presume the committee has heard of this report. It is known as the McBeth report, and it was reported to the then Follett government in 1994. It made some 40 recommendations, which, if implemented as a package, to quote Mr McBeth in the *Australian* on 23 January:

> If the recommendations had been fully implemented, I would imagine that the impact of these events would have been significantly reduced.

According to that press article, the current minister responsible was not aware of that report, or if he was it was tucked away somewhere, and nothing appears to have been done.

Mr McARTHUR—As a resident, why do you think these recommendations were not implemented?

Mr Douglas—We go on in our submission to say:

> Policies to implement the McBeth Recommendations would be a good start for New South Wales and the ACT.

To be effective in the long term, such policies and legislation should be specifically aimed at fire control. They should not be affected by politically fashionable issues and thereby watered down over time as appears to have happened for many years before the January 2003 fires.

As residents—I am speaking for myself—we see ourselves as being betrayed by other issues which got priority over firefighting in both policy and legislative terms.

Mr McARTHUR—What recommendation would you make in terms of insurance matters for residents, who might be subjected to a fire in their domestic dwelling?

Mr Douglas—First of all, under your criterion 2(i), which deals with liability and insurance matters, we note:

Liability for the damage caused by the fires is being considered by several Enquiries. So far no person—

that we are aware of—

has accepted responsibility for the protection of Canberra from the fires and has stood aside pending the outcome of the enquiries.

In terms of insurance, the committee might look closely at the role of the insurance industry in the aftermath of the fires. Most home owners are probably underinsured. The average policy seems to be based on up to about $1,000 a square. Reports of realistic building costs as high as $1,500 to $1,700 a metre are common and obviously people are underinsured. Conversely, if people have insured for what they consider to be a reasonable value for their home and the insurance company does not accept that as a reasonable value, it will say, 'You're overinsured and we will only give you what we consider to be a reasonable value.' To me, that is having your cake and eating it. The insurance industry has something to answer for.

In terms of your first fear—the extent of the fires and their impact on local communities—roughly 25 per cent of Duffy was lost. Up to 3,000 people have had some sort of impact from that loss. I am talking about neighbours, friends, relations and so on. We think that there is only about a 30 per cent return of people into Duffy at this stage. So it is, effectively, a new suburb, with all the attendant disruptions. One of the factors that affected the low return and rebuilding rate was certainly the cost of rebuilding, as Mr Boyle will vouch. Another factor was the demographic: a lot of the people are older and—from our own experience getting our insurance claims settled—the pressure of rebuilding and dealing with tradesmen and builders become real hassles. The social impact has been very significant on Duffy. As I say, a strong sense of dislocation is still there among us in Duffy and Chapman and among all the other residents.

The health impact has not been publicised, but it is significant in both the long- and the short-term. I am a member of a group called the Phoenix group—surprise, surprise!—and we are helping people to get back into Duffy and all the other fire affected suburbs. We have a garden group with volunteers helping people to re-establish their gardens. The volunteers in the gardening group have been overwhelmed not by people seeking advice as to how to re-establish their garden but by people seeking advice about marital problems. They are seeking advice about, 'Do I return? Do I build? What do I do?' In other words, there is a whole wellspring of angst out there that has not come out—that seems to have been ignored—but is going to come out in terms of physical or mental health.

In terms of the environment, the effect has, obviously, been dramatic. Both our gardens were microclimates—we were able to grow almost tropical plants in the gardens. We have lost a large and varied bird population, particularly satin bowerbirds and small finches. So yes, there are significant impacts.

CHAIR—Gentlemen, in paragraph (2)(g) of your supplementary submission you refer to the role of the fire and police officers, and you commend them on their magnificent job and say that they deserve our highest commemoration. Could you tell me when these officers arrived in the suburb? Could you expand on the role that they played during the fire?

Mr Douglas—As Paul has said, there were tankers on either end of Eucumbene Drive at the time the fire front hit. They stayed as long as they prudently could. It appears that the strategy was: 'Duffy has more or less gone; there is not much more we can do.' I was speaking to a resident of Warragamba Avenue who indicated that the two fire tenders left there virtually in tears saying, 'We have got to leave you people because we can be of more use in Kambah—save houses over there,' which was a strategic decision quite legitimately made. But these people were visibly affected. Again, this is all hearsay evidence from my point of view because I did not see this happen, but I understand from others that the police did a magnificent job—risking their own lives—saving people, and the fire service did the same thing.

Mr Garrett—I did not see a policeman or a fireman at all. Most of the information that I got was, again, second-hand. People told me that they were impressed with what the firemen and policemen who were there tried to do under the circumstances, but the only policeman I saw was at half past eleven at night, as we were trying to leave Duffy. He was on duty at the corner of Warragamba Avenue and Eucumbene Drive, and we stopped and asked him, 'If we leave tonight, can we get back in tomorrow?' and he said that he did not know, because he did not know what was going on either.

Mr Boyle—If I may add to that: I saw three policemen on the day. The first two came around to evacuate people. We were already evacuating because the house had caught fire in the roof and, without water, there was nothing I could do about that. They came to the door and said that we should get out or we would die, and they asked us what we were still doing there. I replied that I did not want to see them, that I wanted to see a fireman with a fire hose. They rather bluntly said, 'You're not going to see one.' That was blunt but true. I think they had great difficulty in getting people to move, because people were very much focused on what they were doing at the time and very disturbed. So we got out.

There were other policemen at roadblocks. I also saw a young policeman at the casualty section of the hospital, because my wife had been injured in the fire, and he was there getting his eyes treated. He told me that he had been on duty at the Woden police station and his sergeant and come in and said, 'There is trouble. There is burning over in Duffy. You'd better get over there and see what you can do.' He simply put on a jacket like this and went across.

I have no criticism of the police. I know some people have. They were told to evacuate Chapman, and I have friends in Chapman who were evacuated when they considered it was not necessary—they had either saved their houses or the fire had moved on. I think, to some extent, that sort of thing is almost inevitable when the chief fire officer says that the policy has to be to evacuate. I think there were some great decisions. There were also problems for people in

authority who were making decisions because, if they made the wrong decision, people were going to die or get injured. It was one of those situations that could have gone either way on the call. I saw no firemen. My son said that he heard fire sirens, I presume going down Hindmarsh Drive and Darwinia Terrace. We saw no firemen and received no warning. There was no indication at any time up until the time we burnt down and we were moved to the evacuation centre. I have high praise for the evacuation centre.

Mr MOSSFIELD—We spoke to a number of residents who lost their houses at Duffy, and they emphasised the cost of rebuilding. It seems as though some artificial costs are becoming involved, that materials and tradesmen's costs are a lot higher than would normally be expected. They also raised the question of government charges and taxes. Do you think any sort of financial compensation should be given to people to assist them to rebuild in that area?

Mr Douglas—Mr Boyle is probably best able to answer that, because he did lose his house. Neither of us did.

Mr Boyle—The ACT government gave $5,000 in cash to everybody who registered at the recovery centre and could establish the fact that they had lost their property. I received mine in my bank account on the Thursday or Friday of the week after the fire. They subsequently arranged through Bovis Lend Lease for the clearance of blocks. If you signed up with them—in other words, you could do that if your insurance company was not covering the clearance—the government put in $5,000. So my block was cleared for $5,000, which was paid directly to Bovis. I have no complaint about that. I understand people who were not insured actually got $10,000. I think that went a long way, even for those of us who were properly insured. There are inverted commas around 'property' in this circumstance, but we received great assistance from having that sort of money made available very quickly to tide us over the period of time before insurance payments and others came in, because so many of us lost everything.

Mr MOSSFIELD—So that money came from the ACT government. Was there any contribution from the Commonwealth government towards re-establishing?

Mr Boyle—No, but I would welcome one. I am not aware of any, but I would welcome one.

Mr GIBBONS—Has anybody put a figure on the total damage bill for the Duffy area?

Mr Douglas—Five hundred homes were lost at an average cost of, say, $250,000 each.

Mr GIBBONS—So it would be fair to assume that $10 million would have been exceeded?

Mr Douglas—Yes.

Mr GIBBONS—After $10 million, Commonwealth aid should automatically kick in.

Ms ELLIS—The Commonwealth contributed half a million dollars, as kick money, to the appeal process here—a grant from the Commonwealth to the ACT of half a million dollars.

CHAIR—This is not the place to debate this, but the overall expenditure by the Commonwealth in the ACT is significantly larger than the expenditure of the ACT government,

as it would be in New South Wales, Victoria et cetera, because of the emergency provisions that are agreed to between the states and the territories.

Mr GIBBONS—That is right. If the damage bill exceeds $10 million, the Commonwealth ultimately have responsibility and they have obviously—

Ms ELLIS—Are you talking about the disaster relief fund?

CHAIR—Yes. There may not have been direct payments to individuals but the overall expenditure—

Ms ELLIS—That is registered against the damage.

Mr Garrett—Could I continue on with what Mr Boyle and Mr Douglas were saying? We did not lose our houses, so we did not get any financial grants straight off, but we did get a grant from the bushfire appeal committee. In my case, that grant has just covered replanting gardens et cetera, so I am in a win-win situation, I suppose; I have had all my weeds destroyed and new plants provided!

CHAIR—I would not recommend that as a way to solve a weed problem.

Mr Garrett—I would have been better off buying a flamethrower and doing it myself, without the trauma—one does not know whether or not one would have lost one's life in staying to save the house. Again, I recall the information given by the CSIRO fellow yesterday that, if you stay, you save your house, but you could also lose your life and save your house. So which one do you want? I would like to comment on the insurance part of it—that we have had more problems with insurance companies than we had with the fire. I do not know where the people who have come around to do the work got their trade certificates from. They must have got them out of cornflakes boxes, because they were bloody awful. I had to have one lot back four times to repair the damage they did first off, so I am not really happy with the insurance companies.

Ms Ellis asked a question before about how long we had lived in Duffy and why we went there. I went there because I was posted here when I was in the Air Force and I was looking for a house to buy, and the one at Duffy just happened to be the one that we bought. But the fact is that the forests were always there and there was always the threat that some idiot would set fire to them, not the one from upstairs. The other thing is that a lot of people in Duffy liked living there because of the forest. They wanted to live there and they want to go back there, but they are not too sure these days. When they cleared the forest behind us on the other side of Narrabundah Hill, which is what that hill is called, they wanted to burn all the rubble that was left, but a lot of the residents of Duffy complained about it because, with prevailing north-westerly winds, the Duffy residents would have copped all the crud from the fire. Then they wanted to spray it to kill all the weeds, and the Duffy residents would not let them do that because the spray might blow over the suburb. You are caught in a situation where you want to do something and you do not want to do something, so what do you do? You go with the flow.

CHAIR—Thank you very much for your time this afternoon and also for your submission. It was very useful information and we appreciate it.

[2.19 p.m.]

JEFFERY, Mr Valentine Max (Private capacity)

CHAIR—Welcome. I think you were in the gallery when I detailed the formal aspects of evidence, so I will not reread that. We have your very detailed submission and appendices et cetera, which have all been authorised for publication and are on the record. We thank you very much for that. It is very detailed and gives us some excellent information. I thank you on behalf of the committee for assisting us with our investigations last Friday in the inspections that we did in the Tharwa-Cotter region. Would you like to start by making some brief opening remarks and statements before the committee asks a few questions?

Mr Jeffery—It is best to lead in with a bit of my background. I have lived in Tharwa all my life; my family moved into Tharwa in about 1926. I am working there as a retired storekeeper at the moment. I have been a farmer and grazier and a carrier and various other things over the years. The first fire that I saw was in 1939 when I was four years old. It came over Tharwa in a similar way to the last fire but with none of the intensity that the recent one had—for obvious reasons: there was less fuel in those days and it was the middle of a rabbit drought, which is probably a new term for a lot of people. So my interest in bushfires started very early in my life. At that stage my father was a controller for the ACT Bushfire Council and he was out on that 1939 fire for a week or more. My brother was also a controller for the ACT Bushfire Council before I became one.

I have been fire captain in the Tharwa area for something like 35 years. I have fought hundreds of fires covering grassland, mountains; even houses, caravans and cars. Over those years I have been fire boss on probably hundreds of fires and certainly including dozens of lightning strikes, which we are familiar with from these fires that we had in January. I was chairman of the ACT Bushfire Council for something like 12 years from 1979. I believe that I led that organisation to become very successful over those years to the extent that we considered ourselves to be the best in Australia—I was proud of that.

Unfortunately, since I left that position, there has been a dramatic deterioration in the organisation of bushfire management in the ACT. There seems to have been a usurping of the role of the bushfire council by bureaucrats—particularly the bureaucrats in the Emergency Services Bureau when it took over. The bushfire council lost its leadership role and it became an ipso facto advisory committee, even though it was implicit in the Bushfire Act that it had certain statutory obligations as far as fire management control was concerned. At the same time there was the deterioration of fuel management which culminated in the fires that we had in January. We had a deterioration in the bushfire management organisation and we had this build-up of fuels, and the two combined together as a lethal mix, as we saw on 18 January.

Over the period after I left the bushfire council I continued to try to make public the problems of the fuel management and the problems of the organisation. Nobody seemed to want to listen to me. I think my opinions over the years and my belief that 18 January was an inevitable event are well documented in the public arena. It was only a matter of time and it did happen. There is not much satisfaction in looking back and saying, 'I told you so,' I can assure you of that. But I

did tell you so. I kept being told that I was just a silly old fool living in the past. Maybe I was and maybe I still am, but history tells us differently.

I want to emphasise that I believe from my experience that the January fires were not a climatic event. We have seen certain people try to make out that it was an abnormal, one in 100 years or something like that, climatic event. This fire situation in January was most definitely not a climatic event. The climate was no worse than in a lot of bushfire seasons that we have had and a lot of Januaries that we have had. Certainly we were in a drought, there is no doubt about that, but it was not any worse than a lot of other droughts I have seen over time. The winds and the fire weather when these fires started were certainly not extreme. From 8 January when they started to the 18th when they hit Canberra, we had seven or eight days of the most mundane bushfire weather you can ever expect to get in January, and the fires just continued to burn.

I believe that these fires, instead of being a climatic event, were a 'management/political' event. By management I mean two areas: the fuel management areas and the suppression areas. These were aggravated by political inactivity coming from governments of all persuasions in the ACT. I believe the ACT government has to be condemned from day one for not taking action against the management problems that were becoming apparent. They certainly were well aware of them; I believe that governments all persuasions were well aware of them. People like me were trying hard to tell them, and this is documented in my submission. But it appears to me that the politicians in the ACT government were overwhelmed by their bureaucrats, and I make no apologies for making that statement. As a result, we ended up with 500 houses burnt and four lives lost—and it really should have been 100 lives. In any other fire event like this in history there would have been 100 lives lost; it is absolutely amazing that we only lost four lives.

I knew from the time that the fires were not controlled within 24 hours that something like this was going to be the end result. When those fires started with lightning strikes on 8 January, they should have been attacked immediately, hard and heavily with everything we could have thrown at them. That is the way we would have done it in the past. We never lost a lightning strike in my experience since the 1939 fire, so why did we lose them on 8 January? We did not try, frankly, as sad as it seems, to put those fires out. They could have been put out. Those fires were virtually all accessible by vehicle. They were not like some of the lightning strikes that I have fought over the years where you would have to walk for two or three hours to get to them, carrying knapsacks, chainsaws and everything you could get there or be dropped in by a helicopter onto a flat granite rock or ride a horse for a couple of hours.

These were simple fires. They did nothing that first night because, firstly, it was just a mundane day. An extreme day was forecast, but it did not eventuate that day. All that came out of it were the dry lightning strikes. The fire at McIntyre's Hut did a bit of a run up a hill to start with and looked a little spectacular. I understand from talking to people who were out in that area that that was the end of it. It ran up the hill because the lightning strike was down at the bottom of the hill and it threw up a bit of smoke, but that was the end of the story we heard at that point in time. The other fires were from virtually insignificant lightning strikes that could have and should have been brought under control that first night. Part of bushfire fighting culture is that you control lightning strikes by 10 o'clock the next morning or you are in trouble. We have done that over the years and we have done it successfully. We had not lost them before. But nobody seemed to want to put these out. I do not know why. I keep asking myself why, in the

middle of January, in the middle of a drought and with the highest fuel loads ever, nobody seemed to want to put those fires out. It is just sickening.

I knew after 24 hours that those fires were going to hit Canberra, because they had not been put out in the first 24 hours. I worried for that nine or 10 days. I pulled my belt in two notches over that time because I was so desperately worried about it. I let everybody in my area know through the week before the fires hit Canberra that these fires were going to burn them out. I sent a letter around to everybody as brigade captain that they were going to be in trouble and that the suppression forces were going to be overwhelmed—as they were, and as they are in any event of this size. There is just no way in the world that you can provide enough suppression forces to handle an event like we ended up with on 17 and 18 January. It was just impossible, and that is all there is to it.

The people that are going to come out of those sorts of events successfully are the people who have done their homework and their housework, who are well prepared and well warned and who make their decision as to whether they stay or go. If they want to go, they know that they have to get away early before the fire comes. If they are going to stay, they know that they are going to be stuck there until the fire passes. Those are the decisions people have to make. So I let my community know about that. I believe that we came out of it reasonably well in my community. We are pleased with that. But, as we heard from the witnesses from Duffy, they were not told what was going to happen, and I feel sad for those sorts of people. That is about it. The rest is history from then on.

CHAIR—That is a good start, Val. I am sure that that is a lot of the detail. We can now go through some questions. When did you send the letter you mentioned around your community warning them and explaining to them the sorts of things they could do to protect their property?

Mr Jeffery—It was on the Wednesday in the week before 18 January.

CHAIR—So it was 15 January?

Mr Jeffery—Yes.

Mr McARTHUR—Firstly, thank you, Mr Jeffery, for talking to the committee on their tour last Friday and showing us what you had undertaken in your 50 years of experience. I will raise a few issues that you have put in your submission. You talk at length about the bushfire council and the emergency service council. Could you enlighten us very briefly as to why Canberra decided to make the change from a very successful fire suppression operation to an emergency services type operation; what was the rationale for that?

Mr Jeffery—That is really a question that I cannot answer, I am afraid. You will have to ask other people that question. The bushfire council is constituted under the Bushfire Act, which is still there. I believe it is the prime act covering bushfires in the ACT. It puts a certain onerous responsibility on the bushfire council and the chief fire control officer. I have been told that there was some sort of ambiguity between the Bushfire Act, and the local government act and the emergency management act. I have never been told the actual details of that. I have tried to find out, and I believe that there is something in that area that the bureaucrats hung their hat on to

develop the Emergency Services Bureau and expand its role into operation and away from administration. I am sorry; I do not know the answer to your question.

Mr McARTHUR—A lot of witnesses have talked about the fuel loading in national parks and surrounding areas. As a firefighter for 50 years, could you give us your assessment of the fuel loads and their impact on this particular Canberra fire.

Mr Jeffery—I know that the Canberra fire was intense for no other reason than the fact that the fuel loads in the western areas were so extreme. In Western Australia, where they manage their fuel very effectively, they try to work on a maximum fuel load of eight tonnes per hectare. I know for a fact that the fuel loads in a lot of the areas where these fires burnt from 8 January, ending up in Canberra on 18 January, were in the vicinity of 160 tonnes per hectare.

I went out to a lightning strike about two years previously—I was asked to go out and control a lightning strike early in the bushfire season. It was not very dangerous. I had not been into the bush in the Namadgi area for a few years. We had a run of seasons without many lightning strikes. I was absolutely amazed when we tried to walk to this fire, which was only about 200 metres off a trail. We virtually had to cut our way through the fuel loads on the ground with chainsaws to even walk to that fire. Fortunately we were able to do that and we were able to run canvas lines to the fire to get water onto it, because it was close to a trail. I talked to Parks workmen in Namadgi and we discussed my concerns about the fuel load in that area. They said, 'You haven't seen anything yet. You should see it in the rest of Namadgi.' That frightened me again. The fuel loads were absolutely ridiculous.

Mr McARTHUR—In terms of the lightning strikes on 8 January, could you consider two scenarios: firstly, what you would have done about them had you been fully in charge as a brigade captain; and, secondly, why you think that Parks and other authorities did not extinguish the fire in the first 24 hours?

Mr Jeffery—If I were the incident controller for that fire, I would have hit it with absolutely everything we could find and could spare. I believe, in retrospect, that if I could have taken my brigade out there, with its two tankers and three light units, and had been given a couple of bulldozers, my brigade could have had those three lightning strikes in the ACT under control that night.

Mr McARTHUR—So you would have done that in the first 12 hours?

Mr Jeffery—Absolutely. If you do not do it in the first 12 hours, you are in trouble. In the past, when I was chairman of the bushfire council, we would have had a tanker standing up at Bulls Head, we would have had a tanker and a light unit at the Uriarra forestry settlement, we would have had a tanker and light unit at the Pierces Creek settlement, and we would have had at least two tankers and a light unit or two at the Stromlo forestry settlement. The bushfire council owned its own dozer and grader in those days. The dozer would have been on a float ready to go. It was forecast as an extreme day, and that was our stand-up in those days. We would have had the Forestry dozer on a float ready to go as well. Every one of those units would have been sent in that direction. When the fires started on 8 January, as far as Forestry are concerned, they had one tanker and one light unit at Stromlo—nothing else was left. In the ACT government's

wisdom, a few years ago they sacked 500 years of bushfire fighting experience in Forestry, which has not been replaced. These fires should have been hit and hit hard that first afternoon.

Mr McARTHUR—So no reason was given as to why these fires were left to burn for two, three, four or five days?

Mr Jeffery—I certainly have not heard any reasons for it. It is something I cannot come to grips with: why anybody would not want to put these fires out at that point in time.

Mr McARTHUR—Let me refer to Alan McArthur's warning back in 1977 that this Canberra scenario would be likely to happen, given a set of circumstances, and that advice was taken by authorities.

Mr Jeffery—It certainly should have been heeded, but obviously it was not—and it was not only Alan McArthur; his successors also forecast the same thing.

Mr McARTHUR—Could you tell us what you did at Tharwa, your home town? What on-ground works did you manage to achieve to protect your community?

Mr Jeffery—By 17 and 18 January we were on our own, like a lot of other places. From when those fires started, on the 8th, until the 17th I was never given any active role in the control of any part of those fires. On Friday, 17 January I decided it was time to take an active role as captain of my brigade. I decided that it was necessary for us to burn a break around the western side of the Tharwa village. A few fire brigade units turned up, under district officer Peter Cartwright. We discussed it and decided to go ahead with this burn as an absolute necessity, which we did. We were held up by certain factors and did not get to burn as far south as we would have liked to, but we got it in sufficiently enough to take the sting out of the fire on the Saturday. I believe that, without this break, the village would have been destroyed. We were comfortable with that.

Mr McARTHUR—What was your letter to the local residents? How was that regarded by the authorities?

Mr Jeffery—What I know is only hearsay, from what I have been told. That letter went to government organisations throughout the district as well, whose mail goes out through my post office—for example, Birrigai, the Tidbinbilla Nature Reserve and the Namadgi Information Centre. I understand that it was scoffed at by a lot of those places.

CHAIR—Just to get the record right, we checked your submission. Your letter was dated 14 January. You said it was the 15th.

Mr MOSSFIELD—You made the comment, Val, that there could have been a lot more lives lost, perhaps up to 100 more. I do not think we should just put that aside. I think that is a very important statement, because the loss of life is really the most important thing. Why weren't more lives lost? Somebody must have been doing something right somewhere along the line.

Mr Jeffery—It is a bit hard to say. I think it was sheer good luck. All the forces were overwhelmed, the fire brigade was overwhelmed, the bushfire forces were overwhelmed, we were overwhelmed and the police were overwhelmed. It was really nothing more than good luck.

Mr MOSSFIELD—You have made the comment, and I think this answers a lot of other questions, that once the fire got going there was really nothing anybody could do to stop it. I think that answers many of the questions that the people in the suburbs are asking as to why they were left and things like that. One point you have made concerns the lack of communication to the people in Canberra that the fire was out of control on the Friday. Would that be the case? Wasn't that information conveyed back?

Mr Jeffery—I just cannot understand why the Canberra people were not made aware of it on the Friday afternoon. My brigade and other units were in property protection mode on Friday afternoon at Tidbinbilla and Friday night at Naas, which is south of Tharwa. Tidbinbilla is north-west of Tharwa. The fire was overlooking Tharwa. It was over the range behind us, it had spotted down over Mount Tennant and it was obvious that it was not going to stop there. I just cannot understand why people were not made aware of it; I really cannot.

Mr MOSSFIELD—I know. We were told by some of the residents that on the Saturday morning they actually went camping. They did not think there was any sort of danger to their properties.

Mr Jeffery—Another factor comes into it there. I really also cannot understand why people could not look out their doors, see this fire coming over the ranges from the west and make a calculation themselves that it was going to hit them later on. I think, unfortunately, society these days has lost a little initiative and self-reliance and expects everything to be done by authority or to be told by authority that something is going to happen. But I think anyone who opened their eyes on Friday night and Saturday morning and looked out to the west should have realised that this fire was going to hit Canberra that day.

Mr MOSSFIELD—I think there was a feeling that it would not happen to us. We all suffer from that complaint occasionally and think that we are not going to be hit or be affected by something. I have one final question. I do not think anyone could argue against your strong case about the build-up of fuel, but could you provide an optimum frequency for conducting hazard reduction burning? Who should make the decision to carry that burning out?

Mr Jeffery—It is pretty well accepted in the industry that five-year rotations are the optimum. It is not possible to get it down to clockwork, like five years; seasonal conditions come into it. Who makes the decisions on the burns? It is a fairly scientific operation. People do fuel measurements and assessments, and the risk is taken into consideration as well. It is not an off the top of the head type thing; it has been well researched. As I say, it is not something off the seat of your pants.

Mr MOSSFIELD—So what organisations would be involved? Is it the local bushfire committee that makes a decision?

Mr Jeffery—In the ACT, as I understand it—and I have been away from it for a little while—the government land managers have the first responsibility. It was written into legislation in the

Bushfire Act that the land managers have to present a fuel management plan every two years. Unfortunately, in the act there is nothing to force them to do any fuel management beyond producing a plan. This is one shortcoming that was overlooked by the task force that looked at this—and I was part of that task force—a few years back. I believe that the land managers have abrogated their responsibilities. I drew to their attention, and to the politicians' attention, each time the fuel management plans came out that I did not believe they were facing up to their obligations. They brought out massive plans that were just sheer books of waffle, as far as I was concerned, with nothing constructive. I think, for want of a better saying, that the chooks have come home to roost.

Mr MOSSFIELD—Do these plans then go to the bushfire committee?

Mr Jeffery—Yes. There is a bushfire committee. I am not familiar with how it handles them. I am not part of that. I am really not sure.

Mr MOSSFIELD—I am just wondering what authority the bushfire committee has. Could it really say to the land managers, 'This needs to be done, irrespective of what you say'?

Mr Jeffery—I really do not think I have enough authority.

Ms ELLIS—Val, it is good to see you. Thank you for your help last Friday on our tour. I have a couple of quick questions. In your statement today and in your papers, particularly, you have made pretty strong reference—and understandably so, I think—to the apparent ignorance or disregard of successive ACT governments of previous reports, history and knowledge. That is what you are basically saying. Was the system perfect before ACT self-government?

Mr Jeffery—It was certainly a lot better. The federal ministers—of all persuasions—that I worked under as chairman of the Bushfire Council were very receptive to the problem of bushfires in the ACT. I had good support from them at every point in time, I had direct desk access to those ministers and I had very good support from the departmental secretaries. I believe that it went downhill from local government.

Ms ELLIS—I am really anxious for us to put our finger on this. We have had a raft of different chief ministers, we have had a raft of political colour and we have had changes in departmental arrangements. So was it the original establishment of the bureaucracy structure in the evolution of self-government? What was it that made it go from that to what you call a succession of failure? Many people were involved after that. So are we looking at the structure?

Mr Jeffery—It certainly was not in the initial stages. I was chairman in the early stages of self-government. I did not have the same support under self-government that I felt from ministers under federal government. I am not sure why.

Ms ELLIS—If you could change it today—if you were asked to write down how it should be structured now—what would be your primary priority?

Mr Jeffery—It is not a complicated thing; it is a fairly simple thing that could be rectified fairly quickly. I think that we have to go back to the Bushfire Act immediately. If there are any ambiguities between that and any other acts that have caused problems, they have to be sorted

out virtually straightaway. I believe that there has been some criticism of the Bushfire Act over the years; I do not believe that the criticism has been justified. I think that the Bushfire Act is a very good act and I think that it has served the ACT well over 50 or 60 years. We have to revisit that type of scenario and reintroduce a bushfire council that is made up of a few people who know what it is all about—not 'airy-fairy academics', for want of a better term, but practical people who see that it is going to be there to protect Canberra and the ACT from bushfire.

The bureaucracy has to be removed from anything to do with the operational side of the Bushfire Council. I am dead scared that the local inquiry is going to come up with a recommendation for some further grand experiment—for want of a better word—that is going to complicate things further. We do not need a heap of consultants telling us how to organise the bushfire organisation in the ACT. We do not need another grand bureaucracy like the ESB to interfere with the operational role—and that is not only the bushfire operational role but also the fire brigade operational role; their situation is probably more onerous than ours. It is simple. I would recommend—if I were given the leeway to make recommendations—to the ACT government that they revisit the Bushfire Council and the Bushfire Act as matters of extreme urgency; sort out any ambiguities; sort out any problems with the bureaucracy so that it is clear-cut; give the Bushfire Council the support it deserves and needs; and put the right people on the Bushfire Council, and let them get on with the job that we were doing before: protecting the ACT and Canberra from bushfires.

Mr BARTLETT—Thank you for your time today, for your detailed submission and for being a very informative guide through the area last Friday. Going back to your activity in the defence of Tharwa and the comments you made before about that, I am just looking at your submission, where you said that despite your experience you were not formally given a role during the whole sorry event. I am staggered that with your experience and local knowledge and the respect you have locally that you were not be asked to take a formal part in that. Just to clarify my own thinking, you said then that you self-activated as a brigade captain in order to initiate some control protection. Am I right in saying that if it were not for your self-activation and your activating the brigade it looked, to your understanding, that nothing was going to be happening from ESB control or anyone else to do anything around Tharwa?

Mr Jeffery—That is probably not fair. ESB was overwhelmed, obviously, at that point in time, and local brigades are there for a local purpose. Unfortunately, over the last few years the brigades have had taken away from them some of their unique local properties, for want of a better word. The control of the brigade activities by the brigade captains has been white-anted.

Mr BARTLETT—By whom?

Mr Jeffery—No longer is decision making left to local brigade officers, as is evidenced right through this sorry scenario from the 8th to the 18th of January. The bulk of the decision making was made in north Curtin. It was not left to people on the ground at any stage as far as I can see, and I listened to the two-way radios virtually 24 hours a day. This is unfortunate. It has to get back to local organisation. I think other people were put in charge of my area over the Friday and Saturday, the 17th and 18th. I as brigade officer was not informed of this—

Mr BARTLETT—So the office at Curtin made that decision to put someone else in charge, instead of you?

Mr Jeffery—As I understand it, yes. I just took it upon myself. I had an obligation to my own community and to my own brigade members to lead them. Unfortunately, we have developed a scenario in the last 10 years where the bushfire organisations have been run by administration and not by leadership.

Mr BARTLETT—You said as well that after you took control of the protection of Tharwa that role was 'interfered with by inexperienced Parks' officers'. Could you elaborate on that?

Mr Jeffery—When the district officer, Peter Cartwright, and I decided on how we would go about a back-burn behind Tharwa, I received a radio call from a Parks' officer who I did not know was even in the area, who I understood later was at that stage in charge of my area, who wanted to have involvement in the planning of our back-burn. The request was made that we hold it up until that officer got there and had a look at it and had a discussion with us; she was going to be there in five minutes. It was an hour before she got there, and she said she was happy with what we had planned. As a result, an experienced district officer and I lost an hour and we could not get the burn as far south as we would have liked and that is where we copped the pressure on Saturday morning. I did not know that officer was in the area, and I did not know that she had a role.

Mr BARTLETT—You had not been advised of that officer?

Mr Jeffery—I had not been advised.

Mr BARTLETT—It seems that one of the key issues here really is the lack of central control taking sufficient account of the knowledge of experts on the ground—the people who have all that local experience. Yet, on the other hand, it is probably fair to acknowledge that there needs to be some central coordination—you cannot have everyone running around doing their own thing.

Mr Jeffery—Absolutely.

Mr BARTLETT—Could you tell us how you might resolve that problem? Obviously, there has to be the capacity for local experience to be fully taken into account. How do we resolve those two issues?

Mr Jeffery—It is something that was never a problem before the last 10 years. You definitely have to have centralised control. That is imperative. You cannot have people running around doing their own thing. But you also have to have a certain amount of autonomy in brigades; otherwise, what is the good of having volunteer bushfire brigades to protect a rural area? And that is what volunteer bushfire brigades were initiated for 100 years ago. But you certainly have to have a very effective control mechanism at the top, and that control mechanism has to be a leadership mechanism. It was only last week that I found out—six months later—who was the incident commander in north Curtin on the night of 17 January who was calling the shots on the fires in my area.

Mr BARTLETT—So you are saying that it used to work well in the past but it is not now. How do we get it back to working as well as it used to? What is the key to that?

Mr Jeffery—It is no big problem. Just revisit what I said 10 minutes ago, and that will sort it out.

CHAIR—You said you sent out the letter dated the 14th to people in your region. Establishments run by various government agencies also would have received that. Can you tell the committee, on the record, the difference between what went on in some of those establishments—for example, Tidbinbilla—as opposed to some of the private properties adjoining?

Mr Jeffery—We are pretty proud that, in the rural areas from Tidbinbilla to Naas, our losses were fairly minimal. In the Naas area, south of Tharwa, we lost two houses: one was in the Ingledene pines, which was never going to be savable; and the other one was further south, which we could not get through to with our brigade units because the fire came down over Mount Tennant so savagely that we were unable to get through. Fortunately, we were not three or four minutes earlier or all seven of us would have been cooked in that fire. We had no loss of life. We had no injuries. The only damage to a vehicle was a dint that I put in the back of the command vehicle when I backed into a poplar tree, when it was so dark with smoke that you could not see. I take full blame for that. I believe we came out well. In the government areas, unfortunately, Birrigai lost substantial buildings. Tidbinbilla Nature Reserve lost substantial buildings. They lost animals and birds. I understand that very little was done in foresight to protect those sorts of areas. I just wish that they could have done a bit better.

CHAIR—So would you say that the letter you sent out giving people warning and advice as to how they might prepare the region was ignored in the various areas that you just mentioned?

Mr Jeffery—I would like to think that those people had enough experience to make their own assessments without my letter.

CHAIR—You mentioned Tidbinbilla and the loss of animals. From the information that has been given to you, was there any attempt to save or assist those animals to escape the fire?

Mr Jeffery—I really do not know. Right through this whole exercise with my submission and with everything else, I have tried to stick very closely to what I could back up with solid evidence. I have tried to avoid second-hand stories that I have heard. Certainly there is a lot of that that I could put on the table, but I do not want to do that.

CHAIR—Thanks for that. You were talking before about the bushfire committee and that land managers would make applications to the bushfire committee to hazard reduce or to burn. What about private owners in the region: does that go for them as well, or are they able to make application to you as the brigade captain to do a burn?

Mr Jeffery—Private land-holders are not tied to the hazard restrictions contained in the bushfire act. When the task force that I was part of looked at this we came to the conclusion that it was not necessary to put those sorts of restrictions on private land-holders. They have an obligation themselves within their lease management agreements to do that. They are all involved in stock, which reduces a lot of hazards in any case. So that task force in its wisdom did not see any necessity to put that obligation on private land-holders. It was the broadacre government land managers that were involved.

CHAIR—On and around the 8th, when the various lightning strikes occurred, were there any other lightning strikes on private land that started fires that were not part of the major fires?

Mr Jeffery—Not in the ACT. There were other lightning strikes in the south-east, east of Michelago and those areas. There were quite a few there on private property or certainly adjoining private property. All those lightning strikes were put out by the local residents.

CHAIR—And the ones in the ACT in your region, did you or any of your people get close to those fires early on to assess how dangerous they may be in those first few days?

Mr Jeffery—No-one from my brigade got called to those fires until about three days afterwards.

CHAIR—If it was three days after, you cannot really comment on the state of those fires on the day they occurred.

Mr Jeffery—No, but I did hear the radio traffic on the state of those fires.

Mr BARTLETT—I have a final question. You said in your submission that fuel loads on Black Mountain had escalated dramatically since 1977. I think you also commented that had those fires of last January hit Black Mountain many more homes could have or would have been lost. I notice that others here are nodding as well. Are you aware whether since last summer any hazard reduction has occurred on Black Mountain?

Mr Jeffery—There has been no hazard reduction on Black Mountain of any consequence since Alan McArthur did his experiments there back in the 1960s.

Mr BARTLETT—So the warnings about fuel loads there still have not been heeded, apparently.

Mr Jeffery—This is my major concern at the moment. We are only two or three months away from the next bushfire season. Nothing has changed in the organisation. Black Mountain has not been hazard reduced. The same problems are around Aranda and south Bruce that we have always had. We could lose another 400 or 500 houses without any problem in this coming bushfire season. There is a false sense of security around the community that we have got this great big firebreak around the west of us, and it is sad, because we could quite easily have the same scenario again this coming bushfire season.

Mr BARTLETT—So why haven't we learned our lesson?

Mr Jeffery—You tell me, and then we will both know.

CHAIR—Thank you, Val, for your time this afternoon and your very comprehensive submission. We appreciate the experience and the knowledge you have been able to pass on to this committee as part of its inquiry.

Mr Jeffery—My pleasure.

Proceedings suspended from 3.09 p.m. to 3.25 p.m.

ADAMS, Mr Harold John Parker, President, Australian Capital Territory Rural Lessees Association

ANGUS, Mr Stephen James, Committee Member, Australian Capital Territory Rural Lessees Association

GRIFFIN, Dr Tony, Vice-President, Australian Capital Territory Rural Lessees Association

HYLES, Mr Geoffrey, Honorary Secretary, Australian Capital Territory Rural Lessees Association

CHAIR—I welcome you to the hearing this afternoon. Although the committee does not require you to give evidence under oath, I should advise you that these are formal proceedings of the parliament and consequently warrant the same respect as proceedings of the parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. The committee has your submission, No. 330, which has been authorised for publication and forms part of our evidence. Would you like to start off by making some brief opening remarks before the committee asks questions?

Mr Adams—I would like to make a brief supplementary submission which ties together the papers that we have presented to the committee. Firstly, our association would like to thank the committee for inviting us to appear before you to give evidence in relation to the bushfires which devastated so much of the ACT. Our team comprises Dr Tony Griffin, who farms at Uriarra to the west of the city, who has been our representative on the community reference group set up to provide a conduit to the recovery task force set up by the ACT government and headed by Mr Sandy Hollway; Mr Geoffrey Hyles, our honorary secretary, who farms near Tharwa to the south of Canberra; and Mr Steve Angus, who farms in the Naas district, also to the south of Canberra, which I think you visited, and who is the deputy captain of the Tharwa bushfire brigade. My farm is to the south-east of Canberra but was not directly affected by the bushfires. But that was the first time in the last five years that a bushfire has not been through my property or adjacent to it. They are a regular feature in this part of the world.

Our submission to the committee comprises three papers. One is on the bushfires and the effect on the rural community. We also sent to you a paper that we sent to the Hollway inquiry into the planning issues arising out of the non-urban bushfire affected areas, and a submission from Mrs Judith Blundell from Brookvale, beyond Uriarra, which we consider was particularly relevant to this inquiry because it demonstrates very well the lack of coordination that occurred in their particular area.

As indicated in our earlier submission, the bushfires had a devastating effect on the ACT land-holders, as you have seen. Some 60 farms were affected and seven dwellings were destroyed, together with a large number of buildings—about 89. Many kilometres of fencing were destroyed and there were significant stock losses—5,000 sheep, 200 cattle and 35 horses. Some 63 per cent of leased rural land in the ACT was burnt out. The fire was so intense in many places that it sterilised the soil and the soil biota to such an extent that it will take many years for farm production to return to normal. Some farms will have a negative cash flow for at least 12

months. To that you have to add the ongoing drought—the worst in 100 years—which is severely affecting land-holders in this region.

Our second submission, which we believe is relevant to your committee, relates to the importance of rural land in the setting of the national capital as expressed in the National Capital Plan. It stresses the importance placed on the rural community for the sound stewardship of ACT rural land into the future. We would like to stress that the January bushfires had a national dimension as well as a human dimension.

With regard to the main submission itself, we would like to point out that our comments relate primarily to the systemic failures that occurred in the 10 days prior to 18 January, on the day itself and on the days following. In this we have tried to be constructive in order to identify those systemic failures and shortfalls in organisation and equipment so that they can be corrected in the future. We believe that in an inquiry like this it is not appropriate to apportion blame, except to say that there were major shortcomings within the ACT organisation which in themselves contributed to the disaster that occurred.

Finally, we would like to express our disappointment that both the ACT and New South Wales governments have declined to assist this important inquiry. One of the important shortcomings that we have identified in our communication was the poor communications and coordination that existed between the ACT and New South Wales fire authorities. We believe that that was a significant contributing factor, so we are therefore disappointed that the governments have seen fit not to appear before this inquiry, because we believe that this is an appropriate forum in which these matters can be discussed and resolved. We are happy to respond to any queries that you may have.

CHAIR—You mentioned a supplementary submission. Is that what you have just read?

Mr Adams—Yes.

CHAIR—So you have put it on the public record. Are you all involved in the fire brigades in the region as well?

Mr Adams—I am not an active member, but I am actually a member of three fire brigades. Because my farm sits at the intersection of three fire brigade areas, I support three fire brigade areas, but I am not actually an active member as a firefighter in any of those three brigades.

Dr Griffin—I also belong to the three brigades but I am not an active firefighter.

CHAIR—And Mr Angus said that he is a deputy captain.

Mr Angus—Yes, I am Deputy Captain of Southern Districts, which is based at Tharwa.

Mr Hyles—I belong to only one brigade. I am an active member of the Tharwa brigade, but I did not take part in the suppression of this particular fire because many of the land-holders at Tharwa were instructed that the fire was likely to be of such intensity that the only support we could have on our own farms were our own units, so most of the farmers were at their own farms during the last few days.

CHAIR—Would you like to make any comments on the lack of action, according to the quite overwhelming evidence given to us so far, in those first couple of days with respect to the lightning strikes and, from your experiences of past similar activities, what you believe should have been done?

Mr Angus—Listening to the radio traffic on the Wednesday night from the ACT—the helicopter that was there, the Firebird VII as it is termed—when he called the fires in they were nothing spectacular. The areas were well under 100 metres in some cases. I think that the Bendora fire was a bit bigger, but they were not dramatic. Something could have been done if resources had been thrown at them. I was in contact with Val and Val had people there ready to go. We had already had six very small fires in our area that afternoon. They were dealt with and that was it. But he had people out there that could have left as soon as the calls came to be up there and do something, but nothing happened. Our first real involvement was on Saturday the 11th. I was sent up to one fire at Mount Gingera and told not to do any active firefighting, just to monitor it and watch it with two fully crewed tankers and that was it, which was what we did. But the fires, even at that stage, were not that dramatic. We could have done something if we had had a go at it.

CHAIR—Who told you not to do anything?

Mr Angus—That was the instruction passed through from North Curtin emergency services bureau. It came through Comcen; we received it on the radio at 6 a.m. when we were parked at Piccadilly Circus.

CHAIR—Even at that stage you believe that, if you had been authorised, you could have contained that fire?

Mr Angus—Once we got to the actual fire ground at Mount Gingera, which would have been quarter to seven I suppose on the Saturday morning, we looked at it and assessed it. I walked around the Gingera fire within a reasonably short period of time—40 to 45 minutes I think—and we could have made a go of it, yes. If we had had the bulldozers to create some sort of access for tankers on one side of it and if the resources had been put on it, yes. The Stockyard Spur fire was a similar proposition.

CHAIR—This was Saturday the 11th?

Mr Angus—Yes.

CHAIR—Have you any idea as to why you were asked only to monitor and not to actually address the fire?

Mr Angus—No, I do not. We were told our task for the day was to stop the fire crossing Mount Franklin Road—or the Cotter Road as they called it at that stage—which is the road that runs along the top of the range. It was late in the afternoon, it burnt back down onto that and it was nothing. We just put it out and that was it. The fire was burning in a north-westerly direction most of the day on Saturday because the wind was coming from the south-south-east. At one stage we had flame heights of two metres when it got into some small snow gums on the peak of Ginini but nothing incredibly dramatic, nothing I would have shied away from.

CHAIR—What about the six fires that you said you put out back on the 8th?

Mr Angus—They were very small fires started by a car that was being driven along the road; it had blown its tyres. It just set them off along the side of the road. They were lucky that the fires were on the northern side of the Tharwa Road but Val got on to them as soon as they happened and that was it, they were put out. That was on the same afternoon; the weather conditions were the same. There were fires started in the range along Captains Flat. The Yarrowlumla shire put people onto them and we did not hear any more about them in the days following; they certainly did not spread.

Ms ELLIS—I am not insinuating anything by this but did your curiosity make you say to them, 'Why? Are you sure you don't want us to put it out?' How do these things work?

Mr Angus—I made that comment to Val a number of times; we spoke. These people are professionals and I have got my own—

Ms ELLIS—I am not doubting your reaction; I am just wondering how these things work.

Mr Angus—We just assumed that they had people—

Ms ELLIS—Who knew what they were doing.

Mr Angus—Yes.

Ms ELLIS—First of all, I want to thank you all for being here. It is good to have you here. I want to talk a little bit about the aftermath. We are hearing a lot about particular incidents, and I am happy to talk about them but in your opening comments, Harold, you made a statement about the severity of the soil damage. Do you have an opinion on what is required, whether it is possible and how long it will be before the soil we are talking about—the best way I have to describe it is the 'volcanic-looking, black mess' that there is plenty to see out there—becomes productive again? As a land-holder, is there anything you can do during that time?

Mr Adams—I think it is a natural process to bring the soil back into production.

Ms ELLIS—How long does it take?

Mr Adams—It will take some time, I guess, depending on where it is. You can seed it and fertilise it and if you get that done you might start to create some production from the land. But I think for a lot of the timbered areas, where native grasses and things grow, it will be some time before they really recover. It is a figure I cannot really put a handle on. But a hot burn tends to destroy the productivity of the land as opposed to a cold burn, where the seeds remain in the soil and will come back again because the soil has not been sterilised. But, when you get a really intense burn, that is what happens.

Ms ELLIS—Does anyone else want to say anything? Have you got damage on your property and soil damage that you have not seen before?

Dr Griffin—Yes, certainly we have at Uriarra. It is quite amazing; all the organic matter is burnt out of the soil and you are just left with sand. I think it will take a considerable time for that to recover. Even seeding and fertilising it is going to be a long process.

Ms ELLIS—Have you see it that bad before?

Dr Griffin—I have never seen anything like it. We have some electric fencing to keep cattle in and we run an insulated wire under the ground and the gates to carry it on to the next panel of fencing. The heat was such that the insulation burnt off that wire that was several inches underground.

Mr Hyles—I think there is another problem for some farmers and that is that some of the land is not able to be disturbed. On my farm about 40 per cent is designated as the habitat of endangered species. Where the soil has been sterilised there, I am not allowed to go in to do anything to ameliorate the situation, so that is going to be difficult for me and for other people.

Ms ELLIS—You are not allowed to go in there at whose direction?

Mr Hyles—That is part of the terms of my lease with Environment ACT. I cannot pick up a stick, I cannot pick up a stone in there, so I certainly could not put any seeds in there.

Ms ELLIS—Let us talk about water for a minute. With the drought we have had there has obviously been a problem with water anyway. Was there a problem with water on any of the properties you are aware of in relation to fighting the fires or did you have enough dam storage or tank storage?

Mr Hyles—I was talking to someone just this morning who was down to their last tank load. I think most of the rural community literally had their backs to the walls of their homes, often with their wives and their children. I talked to one landowner this morning and he said, 'We only just managed to save our house but that was the end of our water.' Water has been very difficult, both prior to the fire and of course since the fire because it has been so dry and so many people have relatively limited access anyway.

Dr Griffin—We were left with our backs to our house, too, at Uriarra. Because of the power failure we could not pump water so our hoses were useless. We had some gravity fed water but we were just able to have enough water in our fire trucks to save the homestead. I gather that could have been a problem in urban Canberra, too, with the gravity feed of water. So power failure is a significant loss in fighting fires.

Ms ELLIS—When we were out last Friday we saw a very clear illustration of massive silt build-up at the bottom of an incline following a rainstorm in recent times. From the water supply point of view in the ACT generally, I know that the authorities are very concerned about what might happen to the catchment because of the soil in the forest that has burnt and the run-off. But from the rural land-holder's point of view, do any of you have any concerns about how land-holders are going to manage the silt run-off if and when we get this rain that will eventually arrive?

Mr Angus—We are having the problem now and we have not had more than half an inch of rain. Even last Friday night, we had 12 millimetres of rain, the creek came up again and it was muddy—it was just incredible.

Ms ELLIS—What does it do?

Mr Angus—The creek that runs through our place comes out of the National Park. We have two creeks—Booroomba Creek and Honeysuckle Creek. Before the fire, they were typical mountain streams. They had rocky holes and everything else. At the top of our place, adjoining the National Park, it looks like somebody has poured concrete there. The creek is now two or three inches deep and there is just silt and gravel. It is like somebody has got concrete and poured it there. You can just see it and screed it off. All of the holes have filled up. We had people clearing the trees and excavating down to the hole that we pump from below the house. They pulled out roughly 40 cubic metres of soil, they estimated.

Ms ELLIS—Good grief!

Mr Angus—Two weeks later, we got half an inch of rain or probably a bit more and it came down again. It is now six inches deep again. It is just filling up. Nobody can tell me how long it is going to be problem for, because there is just no growth in the hills around us. You would have seen that last Friday. There is no point in fixing floodgates and things, because, if and when we do get rain, it is just going to come down again.

Ms ELLIS—The reason for asking these questions is to try and establish, for us and for others, exactly what is ahead in the recovery process for rural land-holders. Just because the fires have gone and a bit of green grass appears on the bald of a hill does not necessarily mean that everything is all right, does it?

Mr Angus—No, certainly not from my perspective. I work as an electrician in town and on the farm on weekends and things. My internal fences were old but serviceable. But there were a lot of timber posts and 90 per cent of them are on the ground. The ACT government has done work on the road fences and it is talking about doing the boundary fence with the park, but that has not happened yet. We do not know—it is just a mammoth task.

Dr Griffin—We are really behind the eight ball in many ways, because we are in the middle of the drought, then we get a double whammy with the bushfire. Most of us were forced to destock—to sell off a lot of our livestock—and that means that, in future years, we will not have the breeding stock to re-establish our numbers. So, by necessity, our incomes will go down. That is why we pointed out in our submission that we will have a negative cash flow for maybe two years.

Ms ELLIS—Does anybody want to comment on good or bad experiences with insurance?

Mr Hyles—I think it is a fact that the ACT government was not covered for these fences, which is of concern to us. Anecdotal evidence is that they have already spent about $1 million on those, so that is a problem for their budget. In fact, fencing has almost ceased at this point. But Steve alluded to the fact that there is still a lot of fencing to be done. As far as personal situations

go, on anecdotal evidence I would say about 75 per cent of the losses were covered by insurance. Almost all of the major items were covered by leasehold insurance.

Ms ELLIS—Is the fencing within your property covered?

Mr Hyles—That is very complicated. You cannot answer it straight off. It depends on the terms of your lease.

Ms ELLIS—I was afraid you would say that!

Mr Angus—In our case, I own the internal fencing. We made a business decision three years ago not to insure that fencing, because, after talking to our insurance people and having them look at it, we decided that it was old, the cost would be high et cetera and, historically, the area had never burned. There had been fires, but nothing like this. So that was the decision we made—and that's life!

Mr Adams—To put it in perspective, of the land in the ACT, 22 per cent is rural and about 68 per cent is national park, nature reserves or forestry. There are very few farms in the ACT that do not in one way or another adjoin a piece of ACT government managed land. A lot of those boundary fences, many of them in very inaccessible areas, have gone and need to be replaced. There would be hundreds of kilometres of them. The government has undertaken to do those boundary fences, but it is a major job. I do not know anybody who knows where all their cattle are at the present time. I think there may have been a bit of—

Ms ELLIS—I have one last question, and I do not mind who answers it. I work with Tony on the CERG—the Community and Expert Reference Group. He and I are extremely aware of the discussions at that community reference group level about the emotional and traumatic outcomes of these fires for everybody in Canberra. You can have your house survive and still be affected. Would any of you care to comment from the rural point of view, from the non-urban Canberran affected by these fires, on the emotional and general wellbeing of our community at the moment? If assistance is required, is it forthcoming or should we be doing more about it?

Mr Adams—It did not affect me directly. One farmer I spoke to who was right at the forefront of the fireball and who lost virtually everything—his house survived but he lost a cottage, a woolshed and everything else—said that one of the difficulties he has had in facing up to this is: where do you start? You have almost got to have a pioneering spirit when you get absolutely blasted out of the world like that and are faced with this absolute devastation. 'Where do I start' I thought was one of the really hard decisions being faced by people in that situation.

Some of them have moved on, and of course they have got a bit of insurance money to help them to plan. There has been assistance from the ACT government. Tony would have a better handle on that. We did try to do an audit of all those affected farms and asked them to indicate what their losses were so that the representations could be made through the government. Because Tony has been on that community reference group he has probably got a better handle than anybody else on people's different reactions.

Dr Griffin—I think it has been devastating for some farmers, and some may not even survive. If we do not get a spring, I think a lot of them will be forced to move on. It has been devastating,

and it is ongoing for the rural community. As far as the emotional side of it goes, it is quite interesting. You do not see yourself as becoming emotionally involved. But I recall quite vividly that, after the fire event had been through us and we had looked at the devastation, when anyone—a friend, a relative or someone wanting to help—spoke kindly to us, we felt like crying. I am sure there is an emotional side to it. People are looking at years and years of work. One property owner who had stud sheep lost most of them. That is years and years of work. You cannot replace that overnight. Many of us have planted hundreds and hundreds of trees. They have all gone. You think, 'Will I do it again? Have I got the energy?' But I think we will. Farmers are a resilient group of people, and they are used to coping with the environment and disaster. They will recover but it will be a slow process.

Mr BARTLETT—On page 2 of your submission you say that members of your association were briefed on the fire situation on Thursday the 16th but that the briefing was given by Environment ACT. I am just wondering why Environment ACT gave you a briefing on fires rather than the Emergency Services Bureau, the RFS or a fire authority.

Dr Griffin—I attended that briefing. I do not really know the answer to that. The manager of National Parks and the CEO of Environment ACT were there, and they gave us a briefing on Thursday the 16th in relation to the fires in Namadgi. I must admit that I was somewhat dismayed when I asked a question about the McIntyre's Hut fire, which was to the north-west of us and the one threatening Uriarra Station, and they had no information available at that point in time. The CEO of Environment ACT went away and made some phone calls so that we could be brought up to date on the McIntyre's Hut fire.

Mr BARTLETT—So it appeared to you that their knowledge and understanding of the fire was somewhat less than adequate?

Dr Griffin—Yes, I am afraid so.

Mr BARTLETT—You also state in your submission that members of your association were ridiculed then and on a number of occasions between 8 and 16 January for warning that a disaster would occur if early action was not taken.

Dr Griffin—I had spoken to Val Jeffery on Wednesday the 15th. Val warned me of the impending disaster and so I felt it was opportune to bring it up at that meeting.

Mr BARTLETT—And you were openly ridiculed by senior Environment ACT officers?

Dr Griffin—I do not know that I was ridiculed, but they treated it as somewhat of a joke.

Mr BARTLETT—Your submission says 'openly ridiculed'. You were treated as a joke, and clearly and tragically subsequent events showed that your knowledge was correct.

Dr Griffin—That is absolutely right.

Mr Hyles—I wonder if I could answer the question in a different way: I did not attend the meeting because I had been briefed informally by a staff member of Environment ACT on the Wednesday night about the likely content of the meeting and I considered at that stage that what

they were proposing was absurd. They did not understand the situation and I knew we were going to be burnt out. I had known that for a week so I was busy preparing my farm for the holocaust that was about to happen.

Mr BARTLETT—Officers of Environment ACT who were doing the briefing, in your words, did not understand the situation?

Mr Hyles—I did not go to the meeting, but I was briefed informally by a friend in Environment ACT who informed me of the likely content of that meeting. I said to that person, 'That's a waste of time. I have more important things to work on in protecting my farm.'

Mr BARTLETT—Clearly, subsequent events vindicated your local knowledge. Has there been any indication from Environment ACT that they might be more willing to listen to people with local experience?

Mr Hyles—My opinion is that in many cases the management of Environment ACT are behaving as though there was no fire or, certainly, that they had no part in the fire.

Mr McARTHUR—Following the same line of discussion: are you really saying that Environment ACT were briefing you but that they did not know that McIntyre's Hut was alight and that there was a threat? Is that what you are telling the committee?

Dr Griffin—I think they knew it was alight, but they did not have any current information on what was happening at McIntyre's Hut. That was the major fire out there—and the one that was really threatening Canberra—and it seemed incredible to me that they did not have any up-to-date information on it on Thursday morning.

Mr McARTHUR—So what were they actually briefing you on if they did not know what was happening on the fire front?

Dr Griffin—They were briefing us on the fires in Namadgi to the west. The point of the meeting was to reassure us and to reassure those people along Paddy's River Road in the Tidbinbilla area that they were not at risk, that the fires were under control and that there was no need for concern.

Mr McARTHUR—So your lifelong experience on the land suggested to you that you could see smoke, you knew where the winds were coming from and you were not convinced by that set of arguments?

Dr Griffin—We were not convinced. We had seen the smoke from the McIntyre's Hut fire on 8 January so we knew it was out there. It was just a freakish weather situation for that intervening period between the 8th and the 18th that we had south-easterly wind streams.

Mr McARTHUR—It was those benign conditions that camouflaged the real possibilities?

Dr Griffin—Yes, that is right. That is when the fires should have been put out. They had the opportunity and the resources to do it and they sat on their hands. By the time the weather came

around to what it normally is and the north-west winds whipped up, we knew we were history. There was no way to stop it.

Mr McARTHUR—You mentioned in your submission this ridicule, but let us be clear as to what you are saying. Your suggestions that the fire was imminent were put down by the Environment ACT officers. Was that the way you describe it?

Dr Griffin—Yes.

Mr Angus—Could I add that I did a 12-hour, overnight shift on Thursday, 16 January at the Bendora Dam fire, and when I turned up there at about six o'clock there were senior people from Environment ACT up there. I had missed the briefing in town that morning. I asked one of them what happened there, and his comment was, 'Nothing of any importance; this is all contained.' I said, 'It's going to be in Canberra sooner than we know,' or, 'It's going to burn us out'—I think my exact words were. He said, 'No, everything's all right,' and turned around and walked off. The following Friday night it was at the front fence of our house at Naas.

Mr McARTHUR—The view of Environment ACT was that there was no concern about the fire and that it would not approach Canberra?

Dr Griffin—They were more concerned about saving corroboree frogs and things in the national park. They were not concerned about the fire breaking out of the park.

Mr McARTHUR—Do you have that on the record? Have they told you that? How do you know that?

Dr Griffin—They discussed some of the ecological assets in Namadgi that they felt could be threatened by the fire.

Mr McARTHUR—What is the relativity, in your view, between the total ecological devastation that has now taken place compared with that possibility?

Dr Griffin—Absolutely. That has always been my argument. They totally destroyed what they were trying to save. If they had proper fuel management and done control burns in the park, they could have saved those assets. They actually created the disaster, in my view.

Mr McARTHUR—So any views that your association put forward were totally disregarded as being of no merit, even though you had been around and on the land for 30 years?

Dr Griffin—I was not in that position but people like Val Jeffery, Geoff Hyles and Steve Angus were. If people did not take any notice of Val Jeffery, who were they going to take notice of?

Mr Adams—There was a major fire 12 months earlier, on Christmas day, which swept through the forests and right through to the Mint and Red Hill. We put a submission in about that, as to the inadequacy of the managerial aspects of the fire. The same problems arose 12 months later with the fires of 18 January. The inability of the ACT fire authorities to respond in what we believe to be a positive way, particularly when they were able to address the fires in the

initial stages, I think is the thing that really led to this problem. Val Jeffery and others have pointed it out. The feelings of Mrs Judith Blundell, out in the area of the McIntyre fire, and the frustration she felt in not being able to get in and do something about that fire are absolutely evident in her submission. That, we believe, was the laissez-faire attitude towards these things, and yet people knew that, in the south of Captains Flat, in the Tinderries, where there were lightning strikes, people got in and knocked those fires on the head. But, with the fires that were churning away for 10 days in the hills to the west of Canberra, they were living on hope and hope does not put out a bushfire.

Mr McARTHUR—And you knew the west wind would eventually come in.

Mr Adams—Absolutely. It was inevitable. Even in Mrs Blundell's submission she said that on the day before they were using incendiaries to burn out the centre of a fire. I do not think they should have been using incendiaries. They were making some strange decisions.

CHAIR—For clarification, is Environment ACT the responsible authority within the ACT government for Namadgi National Park?

Mr Adams—Correct. They are responsible for the management of all open spaces, including Namadgi National Park and all the areas, but not for forestry. Forestry is a separate corporation. These are some of the problems we have had, and we identified them in our previous submission about the inadequacy of the land management decisions about these open spaces. People pride themselves on the bush capital but, really, the government has never put the resources into those things. The other thing we have always stressed is that there has never been an audit process of these areas as to where the blackberries and these sorts of things are and what ought to be done with them. There were some major ecological problems in some of these open areas.

Mr MOSSFIELD—Referring to your submission, on page 2 you say:

> It is clear that the policy of letting wildfires started by natural means (lightning) burn themselves out is untenable.

Can we take it from that that it has been the policy to allow these fires to burn themselves out? Would this have been one of the reasons people did not move in as quickly as we know now they should have? Has it been a policy going back and, if so, for how long?

Mr Adams—I do not think I could really respond to that. I am not really close enough to it. I think it might be done on a case by case basis. I do not know that there is necessarily a policy on this.

Mr Hyles—I think we meant there that that is the way we reacted to what we believed was happening. I think we have all heard, for example from Val Jeffery just recently, that that was not the policy in the past, but that was our reaction to what we saw happening—so 'policy' in the sense of immediate action today, not a longstanding policy extending back into the past.

Mr MOSSFIELD—You have clarified that. I was wondering if there had been a policy in the past to allow these fires to burn themselves out, but you are saying that is not the way you saw it. The other thing is, also in that paragraph, you refer to insufficient resources and you say that the fire bombing of these fires was not considered. Would there have been any value in fire bombing

the fires in the early stages? I would think that that refers to water bombing by aircraft; that is really what I am getting at.

Mr Angus—I think it should actually refer to water bombing.

Mr MOSSFIELD—Yes.

Mr Angus—The helicopters did not start water bombing—

Mr Adams—Sorry, there was an error. It is more than a grammatical error, I might say. I apologise.

Mr Angus—The helicopter that flew over the fires on the Wednesday evening was fitted out with a water bucket. The pilot was an experienced helicopter pilot who had flown for a firm based in Sydney that flies for the New South Wales RFS. He had been doing that sort of work since August, I think he told me. But he did not actually drop his first bucket of water on the fires in Namadgi until after lunch on Thursday. He said he had spent the morning ferrying people up to have a look and backwards and forwards et cetera. His comment was to me—and this was in a personal conversation I had with him in the helicopter—that he could have done something effectively on the Wednesday night if he had been permitted to drop water on them. I do not know why we did not go down that track, but it certainly sounded to me like he could have done something.

Mr MOSSFIELD—I was just wondering, if there were resources available, why they were not used. They may have been more effective than even people going up to fight the fires.

Mr Angus—He flew over them and his comment was that he could have slowed two of the fires down considerably.

Mr MOSSFIELD—Are you aware of the availability of other aircraft on a stand-by basis that were not used to the full extent?

Mr Adams—We are not aware of what aerial resources were available, except I think there were three in Bankstown.

Mr Angus—There were other helicopters based in Sydney that could have been up here.

Mr MOSSFIELD—Looking to the future, what changes would you recommend to the administrative structures responsible for direct firefighting efforts to ensure that we do not run into the same difficulties again? Do you have any suggestions?

Mr Angus—We have to get away from the bureaucracy set-up that presently exists. I speak only from a personal involvement in the ACT system; I am not referring to New South Wales or to anywhere else. Our system is a complex one: there are people on the ground who are very effective at what they do but there is also a layer of bureaucracy that we really need to get rid of. People have to make decisions to put out fires.

You do not muck around with fires like the one on 8 January in one of the driest years; you just put them out. They have to be put out. The quicker your reaction time to a fire the more effective you are at suppressing that fire. The longer it burns under its own steam the less effect you can have on it.

Mr MOSSFIELD—So the structure has to be more streamlined, and you would also recommend bringing in the grassroots people when making the decisions.

Mr Adams—I think that is right: it needs to be more streamlined and there needs to be more involvement of grassroots people. The only other point that I would like to make is that there is a general perception that these fires occur only every 15 or 20 years. People talk about the 1939 fires or the 1952 fires, and on it goes that this is going to happen. Compared with the resources one had in the 1930s, 1940s and 1950s, the resources available now are huge in terms of the capabilities of tankers and aerial systems and the ability to reconnoitre where fires are, and in terms of weather forecasting. If we get fuel management and those aspects right and if we are really dedicated to it, I cannot see why these things should not stop now. I do not think just saying that these things are going to occur on a regular basis is an acceptable way of doing things. If we get the organisation right, the equipment right and the resources right, I believe that this should be the last fire of that intensity that ever occurs in the ACT.

Mr Hyles—I would like to follow up on the last part of your question about the grassroots. I think there is also a tremendous crisis of morale in the local volunteer bushfire brigade. I think you heard before from Val about how the situation has developed over the last 10 years. The problem for us as land-holders is: why should we bother anymore? Our opinions are not taken into account and our availability is not taken into account. What are we going to do? On the one hand we see these bright machines flashing up and down the road that seem able to protect us in most situations but are clearly inadequate in catastrophic situations.

The solution is that we must never have a catastrophic situation in the future. The ACT is only a relatively small piece of land—it is tiny—and we need a vision for a hundred years, a thousand years, about what our fire protection strategies should be. Even if it took 50 years to put things into place, this situation should not happen again. If we keep going with what we have at the moment, people like me will just give up.

When I look at my immediate neighbours, I know that most of them were down the coast at that time. Even when we all knew in our bones—from 9 January we knew—we were going to be burnt out, we also knew that we count for nothing in this community. This idea of a bush capital exists only in the minds of the people in the city. They sit in the middle of the bush but they do nothing to face up to their responsibilities of being in the bush. So people on the land are just a land bank, I think. I said to one of my neighbours on 12 January, 'What are we going to do about these fires?' He said, 'Oh, I'm going back down the coast tomorrow. We'll sue the National Parks for all they've got when we're destroyed.' That is very sad, but that is what the situation has degenerated to. So what happened? We were every man for ourselves, and most of our properties were saved and our families protected.

We feel very sorry for the people in town. As Val said, 'These poor buggers in town didn't know what was happening.' I do not understand why they did not know what was happening because in the *Canberra Times* on Saturday morning the headline was 'Bushfires break through'.

As Val said, why didn't they go outside and have a pee or something on the Friday night? Just this morning I was in Duffy. You can see Mount Tennant from Duffy. It must have looked like a Roman candle from virtually half of the ACT. What were people doing? Why did they go shopping on Saturday morning? There was notice out there for everybody that this fire was coming. Day after day there was smoke on the hills. It was a national disgrace. That is why we did not put it out—we just do not understand that.

CHAIR—In your submission you mentioned the build-up of fuel. A number of you live adjacent to the national park. What can you say about the change in management of those regions over the last couple of decades? When was there a change? We have had other evidence that if you go back some years there was regular hazard reduction. Can you help me with the timing of that?

Mr Hyles—None of us has been adjacent to the national park for long enough to give you an informed answer; it is more of an opinion.

Mr Angus—I have been involved in the brigade at Tharwa for 17 or 18 years, I think. We have only ever attended one controlled burn and that was at the top of Mount Tennant. I am not even sure that it was in the park at that time. There were a couple of burns in what is now the Brindabella National Park, when it was ACT Bush Fire Council lease. That is about it. There has been nothing in that time frame.

CHAIR—So in your experience of 18 years there has been virtually no hazard reduction done through Namadgi?

Mr Angus—The only form of hazard reduction—natural hazard reduction—is the grazing that the kangaroos do. That is pretty significant at times.

Dr Griffin—I think that environmental issues have possibly supplanted good fire management in a lot of the parks and reserves. Certainly the Murrumbidgee corridor acted as a wick for the fires. Since the corridor has been fenced out in many areas there has been no attempt to control the build-up of woody weeds in the corridor. We used to be able to walk down to the Murrumbidgee banks but in recent times, with the build-up of the woody weeds and blackberries, that has been impossible—at least before the fire. We certainly feel that something should be done about the management of corridors. Obviously the government does not have the resources to manage them properly and perhaps there should be joint management by the rural lessees and the ACT so that the river corridors can be judiciously grazed and the weed problem controlled.

Ms ELLIS—The meeting with Environment ACT was on Thursday, 16 January. Where was it?

Dr Griffin—It was at Athllon Drive.

Ms ELLIS—At the depot?

Dr Griffin—It was at the depot.

Ms ELLIS—Was it purely verbal?

Dr Griffin—They had maps.

Ms ELLIS—Did they hand anything out?

Dr Griffin—They photocopied a map showing the position of the fire.

Ms ELLIS—But there were no instructions?

Dr Griffin—No, it was a reassurance meeting.

Ms ELLIS—At roughly what time of the day was it?

Dr Griffin—I cannot remember exactly. It was in the morning. It was at about 10 o'clock or 10.30 a.m..

Mr Angus—It was a bit earlier than that. It was at about 9 a.m. on Thursday morning.

CHAIR—Thank you again for your evidence today and your submissions. I appreciate your opening comments of support for this committee's work and the inquiry.

[4.20 p.m.]

DIETRICH, Captain Edwin Stewart David, Director, Joint Operations, Department of Defence

HAY, Mr Geoffrey Charles, Acting Director-General, Regions and Bases, National Operations Division, Corporate Services and Infrastructure, Department of Defence

SMYTH, Major Garry Bede, Staff Officer Grade 2 Operations, Corporate Services and Infrastructure-Sydney Centre, Department of Defence

TEMPLEMAN, Mr David, Director-General, Emergency Management Australia

CHAIR—Welcome. Do you have any comments to make on the capacity in which you appear?

Capt. Dietrich—Stewart is my preferred name. I am the director of joint operations in the strategic operations division here in Canberra.

CHAIR—Thank you for appearing this afternoon. I think you were here earlier when I read through the formal aspects of giving evidence to this committee, and you are all probably au fait with that anyway. We have submissions from both the Department of Defence and Emergency Management Australia, and we thank you for those. They are part of our evidence. Would you like to make some brief opening remarks? Then we will follow up with questions.

Mr Templeman—As you are well aware, we lodged our submission with the committee on 14 May. We also had the opportunity on 29 May to informally brief the majority of the committee about the operations of Emergency Management Australia. Since that briefing I have also provided a separate and very comprehensive briefing to Mrs Gash, who is also a member of your committee, on Emergency Management Australia. I think it is important to say that in our briefing to the committee on 29 May—and it is probably not necessary to repeat any of that today, in the interests of time—we covered an overview of the history and role of Emergency Management Australia in disaster coordination and the provision of Commonwealth assistance at the time of a disaster when, I emphasise, a state or territory requests that assistance. We have a lot of history and experience involved in that in respect of fire, flood, planning around the Y2K event in 2000, evacuation issues, reception arrangements, our response to the tragedy in Bali recently and issues in the Pacific. It is important to appreciate that it is the provision of Commonwealth assistance on request from a state or territory at the time of a disaster.

We also covered in detail at that discussion on 29 May our role in bushfires generally from November 2002 through until February this year and indicated the very flexible, robust and well-tested arrangement we have in being able to activate Commonwealth assistance very effectively. I also addressed at the meeting on 29 May other aspects of EMA's business in terms of the training function we undertake, emphasising that we are not in the business of operational training. It is essentially in the management area that our issues are. It is also important to appreciate that EMA is not a response organisation. Our business is, essentially, about

coordination. It is about bringing people, resources and organisations together to deliver an outcome. Again, I emphasise that that is when requested by a state or territory. There is only one authorised officer within a state or territory to make that request at the time of a disaster.

States and territories have responsibility, first and foremost, for the protection of life and property, and we abide by that under the constitutional arrangements. It is important to say that, as an organisation, EMA had been closely observing and monitoring the totality of bushfire activity in Australia from mid last year, when we started experiencing winter fires in New South Wales. They had a very effective liaison arrangement with most fire agencies, and they kept the details of the specific requests which were lodged by various agencies—encompassing New South Wales, the ACT and Victoria—during the period of November 2002 to February 2003. Their records include a detailed listing of the tasks and dates. The sorts of tasks that were provided are covered in our submission.

I would like to make a couple of points about the positive aspects of provision of Commonwealth assistance in support of states and territories during the fire crises. Issues such as the use of the Sentinel web site—a satellite imagery device which involves remote sensing of fire hot spots—and the work that has been undertaken by CSIRO and Defence in developing that capability for use nationally by fire authorities and other agencies being available readily on the Internet is to be commended. They contribute to situation awareness and ready appreciation of specific hot spots as far as fire identification is concerned. Our role in using liaison officers during the period of the crises was also very effective in being able to get real-time assessment, real-time information, to have an appreciation and get the necessary authorisation of Commonwealth assets from the federal Attorney-General.

Another positive aspect of the Commonwealth's role in response to these crises was the rapid passage of information to assist states and territories in being able to help combat these fires. The National Emergency Management Coordination Centre was stood up during most of the crises on a 24-hour, seven-day-a-week basis and proved to be very effective and very adaptable. It also had excellent relationships with Defence, the Attorney-General's office and the states and territories with regard to the provision of assistance. The speed of the provision of Commonwealth assistance and their responsiveness has also been acknowledged in statements by the Prime Minister, by Victoria and the ACT. This is gives you a very quick overview from my perspective following on from our briefing to you on 29 May and some comments that I thought were pertinent and particularly relevant from the EMA's point of view.

Capt. Dietrich—From the operational perspective I really have nothing to add to that which is in our statement, other than to observe that over that Christmas we once again utilised tried and well proven procedures with the EMA by providing and coordinating the tasking for Defence. From our perspective, we fell back on our standard procedures and they worked well at the time.

CHAIR—Mr Bartlett unfortunately had to go, but he left me a question to ask on his behalf. The ADF responds with firefighting resources when requested through the EMA and when a particular state requests assistance. Is it your view from recent fires that the requests come early enough? Do you, the ADF, have resources ready and available which could be used earlier than they are?

Capt. Dietrich—I would like to make it quite clear that the use of the term 'firefighting resources' is slightly misleading. Defence personnel are not trained firefighters. Generally, the requests for defence assistance are in other areas to the actual firefighting. They are more along the lines of the ability to provide logistics, and in some cases, helicopter support et cetera. We are not firefighters and we are not trained as firefighters. In terms of being asked, we can never say on a day what resources we will have available, because that is driven by our other operational defence commitments, which are very hard to predict. I think we have a good system in place—when requests come in we are able to rapidly determine whether we can satisfy them and provide a response in a timely fashion. Over that Christmas period there was a very fast response. I am not sure that anything could be done to anticipate those requests any earlier. We maintain some units at various levels of readiness and generally that has allowed us to be able to respond within the time frames requested by the states.

CHAIR—With the various requests you had from New South Wales, ACT and Victoria during that period, were there any requests that you were not able to meet?

Mr Templeman—No, and in fact, going to what Captain Dietrich just said, the timing issue did not seem to be a significant issue as far as the ADF were concerned, in terms of our liaison with them. Just to reinforce what Captain Dietrich said, there was the provision of heavy earth-moving equipment in the main and other assets, such as helicopters, for fire spotting and evacuation. Some of those helicopter assets ended up being used for water-bombing activities. There were no requests, as far as I am aware, where there was any delay. Headquarters Australian Theatre was magnificent in that role.

Mr Hay—I would like to go back to the first one, if I may. Within Defence, we have a well established network of liaison officers in all the major capital cities whose role it is, from day to day, to interact with state, local government and non-government agencies so that there is, at any point in time, the ability for a state government agency, for example, who are responsible for emergency management or fire fighting or ambulance or whatever, to establish very quick working relationships with the Department of Defence. In the context of this particular inquiry, once that network establishes itself we are given some early warning and some ability to provide advice to state governments as to the ways and means in which Defence may be able to help them. So, when their requests go forward to EMA, there is some knowledge of what might be likely, and then it is a matter of the timeliness of the actual request being forwarded.

CHAIR—Could I just clarify that to make sure I am reading this correctly. We have a very detailed summary of the various requests for support to firefighting operations. Am I correct in saying that the only service provided into the Kosciuszko area during those fires was the provision of a 10,000-litre fuel tanker. Is that all?

Mr Templeman—Which tasking are you reading, Mr Chairman?

CHAIR—On page 2—

Mr Templeman—Of the Defence submission or the EMA submission? All the taskings match up in terms of—

CHAIR—It is the attachment to the Defence DACC 2, headed 'Support to firefighting operations—November 2002 to February 2003'. There is some detail about Singleton, which was back in 2002, and it goes until December. There are references to the Great Lakes and to HMAS *Albatross.* The last half a dozen refer to the one thing, which is the provision of the 10,000-litre fuel tanker.

Capt. Dietrich—I am not clear on that. Certainly, regarding the refuelling facilities at HMAS *Albatross*, a number of civilian helicopters passed through. They were refuelled. Where they then went for employment we do not have detailed records of visibility. Also, it is possible that some of those helicopters might have passed through *Albatross* on their way to the Southern Highlands.

Major Smyth—There were helicopters in the area. Squirrel helicopters from Nowra were used for fire spotting within the Kosciuszko National Park area.

CHAIR—So maybe that would be the reference from *Albatross.* There were fires burning on the western side of the ACT—some of those were within the ACT and some were within New South Wales. Clearly, with respect to the evidence that we have already been given, there are perhaps communication difficulties to be sorted out between who is responsible for what and were, because fires do not understand the borders. Through EMA or Defence, how does it work in the case where there are two separate authorities—the New South Wales government and the ACT government—asking for assistance, particularly right alongside each other? Is it clear who you are responding to in that sense? You might talk us through what would have happened in that particular case.

Mr Templeman—In this particular case, if you look at the tasking arrangements in relation to the use of that mobile fuel tanker you will see that the last request made by New South Wales was for the 11 January period right through to 14 February. The first request made—as far as the ACT was concerned—was effective on 13 January. It involved the use of helicopters and bulldozers from the Defence Force.

CHAIR—The reference to New South Wales in that case was to Kosciuszko National Park, which is a separate sort of fire to the—

Mr Templeman—I appreciate that using that 10,000-litre mobile fuel tanker would have been the case for the provision of aviation fuel for a large number of air assets no matter where they were operating—they could have been operating in New South Wales, the ACT or even in the Victorian region. You deploy fuel forward to circumvent the problem of using airports and other air routes and, at the same time, to get over visibility issues in relation to operating aircraft. That is why there was a pre-positioning of that large fuel tanker for that purpose.

To come back to your specific question in relation to dealing with specific requests from states and territories: we deal with each state and territory quite independently and separately. There are different state disaster council arrangements within each jurisdictional arrangement. As I said earlier, in my introduction, one person within a jurisdiction can make a formal request for the provision of Commonwealth assistance. All those earlier requests in New South Wales would have emanated through the Rural Fire Service and the respective state disaster council, where the request comes from the Deputy Commissioner of the New South Wales Police to EMA. We then

assess it, and ensure that they have tested that there are no other commercial assets or alternatives available, before making a recommendation to the Attorney for his approval.

A similar approach occurs with respect to a request made by the ACT or any other jurisdiction. The same process occurs in the ACT—a dialogue goes on between us and the ACT Emergency Services Bureau. The head of the ACT Emergency Services Bureau can make the request for Commonwealth assistance. This is what occurred in this particular circumstance—the Attorney-General gave authorisation, and we activated the ADF to assist.

Capt. Dietrich—From a Defence point of view, this is one of the advantages of having EMA do the coordination. We do not have to sort out the conflicting requests from the states; that is done for us by EMA, and we respond to their tasking.

CHAIR—You just provide the service where and when requested?

Capt. Dietrich—Yes; when it is asked for.

Ms ELLIS—I again refer to the little chart that we have here: 'ADF support for the ACT Emergency Services Bureau'. Can you clarify something for me, if that is at all possible? It says on the first listing, which is 12 January, that four Navy helicopters were used for water bombing and fire spotting, and that four bulldozers were also used. On 17 January there was a request to provide a communications specialist to establish a viable communications link between the ESB coordination centre and Navy helicopters. Can I assume that they were the same Navy helicopters?

Major Smyth—Yes, they were.

Ms ELLIS—Would you be in a position to say what was happening with the communications link in the gap days? Did they go into an area where it was suddenly required?

Major Smyth—There is a problem with Squirrel helicopters—of which there were two in the ACT—communicating with the emergency services personnel. We use different radio sets from those the civilian organisation uses. That is why we have asked for a communications person to come to Canberra to assess the problem with communications between the air and the ground.

Ms ELLIS—Can I assume that from 12 to 17 January communications were nonexistent?

Capt. Dietrich—No.

Major Smyth—No. It was not nonexistent—

Ms ELLIS—I am trying to understand the reason for the gap in the request.

Major Smyth—It was just that the helicopter pilot could talk to his personnel on the ground but he could not talk to the emergency services. It was just like a relay going on until the comms problem was solved.

Ms ELLIS—It was occurring but not as easily as it could have been?

Capt. Dietrich—There were workarounds, and this was to try to improve it.

Ms ELLIS—On 18 January there was a provision of six planners—three operation, two logistic and one communication—for the ACT ESB headquarters. Can you explain what those planners actually do?

Capt. Dietrich—All of them were Army staff officers, including some of my staff. At that stage, my understanding was that the ESB people had been there for a long time and needed assistance and relief. We just pulled Army line officers out of their jobs and sent them in on the Sunday to give these people a spell. Their qualifications included logistics, infantry and armour, but they all came with some kind of operational planning experience in the military.

Ms ELLIS—So the request was on the 18th and they went in the day after, on the 19th?

Capt. Dietrich—I think we got the request on the Saturday night and they were in on the Sunday morning. I can remember ringing around at midnight.

Ms ELLIS—I just want to clarify what Mr Templeman said before; I want to get it clear in my head. Mr Templeman, you said that one person in each jurisdiction is the person governed with the ability to make the request. Who is that person normally?

Mr Templeman—The Deputy Commissioner of Police.

Ms ELLIS—So, when the requests were being made from the ACT, were they being made by the Deputy Commissioner of Police?

Mr Templeman—No. In the ACT, as I said earlier on, that request was made by the head of the ACT Emergency Services Bureau, Mr Castle.

Ms ELLIS—Was that up until or beyond the declaration of the state of emergency? Does that change with that sort of thing happening?

Mr Templeman—No. That process did not change; our relationship was still very seamless. I had a liaison officer working very effectively with the ACT ESB to assist in making sure that those requests were streamlined.

Ms ELLIS—Was there an administrative requirement for it to be changed or can it just continue?

Mr Templeman—None whatsoever.

CHAIR—Just on that, in New South Wales is it the Deputy Commissioner of Police who makes the request?

Mr Templeman—Yes. It is the Deputy Commissioner of Police or Commissioner of Police in most jurisdictions, except for the ACT.

CHAIR—You probably cannot confirm this, but presumably the Rural Fire Service at some point in time would say to the Deputy Commissioner of Police, 'We need federal assistance.'

Mr Templeman—Each state and territory has a very effective state disaster council or state emergency management planning arrangements which, depending on the nature of the event, bring the appropriate people together. In the case of fire in a jurisdiction it may involve a particular fire commissioner and, say, in New South Wales, the respective state disaster council making an assessment with regard to their capacity or capability and whether they can actually meet the requirement within the overall capability before asking the Commonwealth. In that particular case, that dialogue and liaison is already ongoing with EMA. We have already started that liaison with Defence or other agencies in the likelihood that it might be formalised as a specific request. It is a very simple process then within a jurisdiction to get the appropriate delegated officer to make the formal request.

Mr MOSSFIELD—Were any defence personnel involved—I do not know if I missed this or not—in directly fighting the Canberra fires?

Mr Templeman—No, none whatsoever.

Mr Hay—Unless they were involved in a private capacity as a volunteer firefighter, and I do not know the answer to that.

Capt. Dietrich—I am aware of some who are also members of the various volunteer fire services.

Mr MOSSFIELD—So that is how they become involved?

Capt. Dietrich—Yes.

Mr MOSSFIELD—Would it not be of some advantage to have some sort of arrangement where, if there was a fire in the area where there was a defence establishment and there was manpower available, we could short-circuit the situation and have those people fighting the fires very quickly rather than having to go through that formal process, which must cause delay?

Mr Hay—The situation within Defence has been that, as part of our ongoing reorganisations, there has been a rationalisation of a lot of specialisations, including firefighters, that used to be part of our organisation. A lot of our firefighting resources are now subject to contract with state authorities and responses are provided on bases by contracted authorities through the local fire organisations.

Mr McARTHUR—There has been some discussion by witnesses about section 44. Is Defence aware of the proposition that the Commonwealth will provide money for disaster relief when it reaches a certain cost point, given the comment a minute ago that Defence would provide these services at a contract rate? Has it come to your attention that the Commonwealth will provide these services under section 44?

Mr Templeman—It is probably advisable that the committee take note of the submission from the Department of Transport and Regional Services which very comprehensively covers the

natural disaster and relief arrangements and the trigger points with regard to when NDRA is activated at the time of a disaster—the ceiling levels and the catalysts for how it is activated—and the provisioning of Commonwealth assistance at that time. The DOTARS submission covers that in a very comprehensive way.

Mr McARTHUR—Somebody has to cost these requests that you have put forward in your submission somewhere along the line. Will they be considered as a part of section 44 after the event?

Mr Templeman—The arrangement fortuitously at the moment is that, when the federal Attorney-General authorises the provision of Commonwealth assistance and it is tasked to the ADF, it is invariably provided under Defence assistance to the civil community category 2, which means it is provided at no cost—and at the same time it is normally provided with no supplementation to the Defence budget. My Defence colleague may wish to amplify that and explain what Defence assistance to the civil community category 2 means and how it operates.

Mr McARTHUR—Do you have a ballpark figure over the years of what disaster type expenditures have been?

Mr Templeman—On average, natural disasters in Australia cost about $1.5 billion to the community. Sadly, 50 people lose their lives through natural disasters, about 1,500 people are injured and 250,000 people are affected in some way or another through family dislocation or schools being closed down for a short period of time. Those are the actual physical costs; it does not necessarily take into account the social cost.

CHAIR—What period of time was that?

Mr Templeman—That is over a 12-month period.

CHAIR—That is the cost, on average, every 12 months?

Mr Templeman—Yes, that is the average cost every 12 months over the last 10 to 15 years. If you look at the Bureau of Transport and Regional Economics figures, natural disasters inflict a $1.5 billion cost on the community. For example, the Sydney hailstorm in 1999 cost about $2 billion, the fires at the end of 2001 in the Sydney area cost about $500 million and the 1989 earthquake in Newcastle cost $500 million in the dollars of the day. That gives you an indication. It goes up and down. To give another example, in the last 12 months, the severe storms in New South Wales and New South Wales Central Coast cost in the vicinity of $700 million.

Mr McARTHUR—Can we get back to the figure that Defence might provide, given that Defence could provide aircraft for firefighting. Has a figure been put on that or has the process been completed but with no figure?

Mr Templeman—Obviously, Defence has figures with regard to the operational hourly cost of operating an aircraft, but those aircraft are not procured for firefighting; military assets for fighting wars would be the best way to describe them.

Mr McARTHUR—There is a bit of a presumption that Defence might turn up with some helicopters and fixed-wing aircraft to assist with firefighting. Is that a reasonable presumption or is that case by case or based on proximity of the fire to Defence establishments?

Capt. Dietrich—As I mentioned earlier, it is on a case by case basis. We cannot guarantee we will be available on the day of the disaster. We might have our forces deployed overseas or somewhere else. Also, our ability to respond, as you have correctly identified, very much depends on the geographic location of the disaster, the fire or whatever we are dealing with. You just have to look at where Defence's bases are to get a feel for our ability to respond.

Mr McARTHUR—There was an impression at Nowra that, because you were close to the fires in the Nowra-Shoalhaven area, Naval personnel and equipment were used, should be used or could have been used—the whole three scenarios.

Capt. Dietrich—We will always go for the most cost-effective option. I observe that we ended up flying Army personnel from Brisbane at our expense to fight the fires in Victoria because we did not have the people available in Victoria.

CHAIR—I think what Mr McArthur is referring to with Nowra, though, where there were specific fires in 2001-02 and also at the end of 2002 in an area fairly adjacent to *Albatross*, is that the evidence that we were given last week in Nowra from the locals was that there seemed to be quite some delay in Defence using resources that were there at the base to assist. There appeared to be insufficient resources early on in those fires.

Capt. Dietrich—We rely on requests from the state authorities. We do not impose ourselves upon them.

CHAIR—Even in a situation like that where the actual base could be coming under threat, do you still have to wait? Just because it is across the other side of a fence that is New South Wales land, would you still wait?

Mr Hay—Under category 2, which is the more formal process that has been described. There is also category 1, which is for an immediate emergency, where a local unit commander or base commander is authorised to provide a response when requested if he is able to do so with the resources at hand.

CHAIR—Where would that request come from?

Mr Hay—It could come from anybody. It could be a local farmer, a shopkeeper or the local council.

Major Smyth—It could be the local emergency services person who is in charge of the district down there, where we had two helicopters on DACC 1 for two days for fire-spotting down in Nowra.

Mr McARTHUR—There seemed to be a lot of local disquiet about this process. There was disquiet about Defence finally getting the decision through the local authorities—aircraft were

sitting around and nobody could make a decision. All those sorts of thing were what the locals were telling us.

Mr Templeman—There are also issues of perception here. Captain Dietrich has indicated that the role of the ADF is not firefighting. We need to be realistic. People may perceive that there are machines on the ground. It does not necessarily mean that the pilots are able to conduct water bombing. There are issues there that need to be taken into account.

Mr McARTHUR—As a matter of interest, there is certainly a perception that the use of high-tech equipment, such as aircraft for water bombing and helicopters, is now part of the armoury against bushfires. Whether you like it or not, that is a perception in the community, especially when they are near a military installation.

Mr Templeman—Yes, I can understand why that perception would be around. But, in relation to the operation of the type of aircraft which are configured to undertake other activities related to a war role and not necessarily a water-bombing role, there are other aircraft which are better configured to undertake water bombing. We also need to manage other perceptions around it. People now have a perception that helicopters put bushfires out. There is the on-ground requirement, which is very, very essential in that process, supported by water-bombing technique.

Major Smyth—With the Nowra based aircraft, there were two Sea Kings and two Squirrels on standby down there on 24 hours notice to move whenever. They put them on standby because the RFS in New South Wales had sufficient fixed-wing and rotary-wing aircraft in the area at that time.

Mr McARTHUR—Just as an aside, there is a lot of interesting evidence coming before this committee that a lot of the fixed-wing aircraft were sitting on the ground for 24 days because they received some strange instructions that said that they were only able to fly at nine o'clock in the morning rather than earlier in the day. So there has been a lot of interesting comment.

Major Smyth—That would have been a problem for the RFS in Sydney or the New South Wales Rural Fire Service because they were controlling the air assets and the tasking of the civil fleet around Nowra and Sydney.

Mr McARTHUR—We just make the observation—it is a perception—that they are regarded as part of that activity. We just heard some very disturbing comment that in fact aircraft and aircraft personnel were not allowed to fly except from 9.30 in the morning and later when the smoke was up and they could not actually see the fire; they were not allowed to fly at 5 a.m. That is what some of the witnesses were telling us; I make no particular comment on it.

Capt. Dietrich—Were they qualified aviation witnesses?

CHAIR—Yes, in one specific case in the Kosciusko area.

Ms ELLIS—I would like to clarify something that was said a little bit earlier. You mentioned that contracting out of firefighting services on defence bases had occurred. Did that occur from any given time? How long has that been the case? Estimate, if necessary.

Mr Hay—The program of examination of what we might call the non-core military capabilities across Defence in this context has been evolving for many years. We started our commercial support program in the early nineties. As we went into the mid-nineties we went into a major efficiency review, which resulted in the Defence Reform Program, and there was much organisational change attached to that, including further outsourcing of particular types of events. We still maintain in some bases—for example, on Air Force bases—firefighting capability, which is integral to our organisation. The reason for that is that they are specialists; they are not general firefighters. Of course, the contracts—and I am not an expert on the particular clauses in the contracts—are designed around a statement of work or statement of requirement to meet what we think would be a reasonable response to an appropriate type of fire on a base.

Ms ELLIS—I will just be a little more specific then. In the case of the ACT, we have Fairbairn—only just—and we have *Harman*. To your knowledge, do they have contracted firefighting arrangements? On the basis of what you have just said, I imagine that Fairbairn would not.

Mr Hay—I do not know the answer to that particular question.

Ms ELLIS—Would you be able to take it on notice and let the committee know? Also, could you let us know who actually has the contracts? I want to understand whether in this area—or any other area, for that matter—we have a Defence base where there is a contracted firefighting service for the general purposes of the base and whether it contracts out to local fire services.

Mr Hay—Just on those two bases?

Ms ELLIS—Yes, from my point of view. I do not know how many bases you have and whether we would be interested in any others.

CHAIR—There would be several hundred.

Ms ELLIS—I think it raises a general question of interest. Mr McArthur was talking about perceptions; there are perceptions in the community that are very wrong. One of them is that the defence forces are sitting out there—in this case they could say at *Harman*—and why don't they come and fight our fire? For the sake of this argument, we will assume that that is probably because they do not have a fire service. I would find it a little bit ironic if in fact their fire service was ours. If there is an emergency in an area, it makes it a bit difficult. I think it is an interesting question.

CHAIR—I think the question should be in a more general sense because this is a national inquiry.

Ms ELLIS—Absolutely.

CHAIR—You mentioned Fairbairn, but presumably Canberra Airport would have responsibilities for firefighting.

Mr Hay—That is my inclination.

CHAIR—As I understand it, they need specialist equipment.

Ms ELLIS—For specialist firefighting.

Major Smyth—Whilst we still operate military aircraft out of the Fairbairn facility on the Air Force side of the tarmac, there will be specialist firefighting capability for that provided by Defence. Whether it is there permanently or it is mobile and brought in for particular situations, I do not know, but my inclination is that the Federal Airports Corporation at Canberra Airport has a responsibility as well.

Ms ELLIS—The issues about general fires as against specialist Air Force fires are the ones that I am interested in.

Major Smyth—Okay.

CHAIR—To finish off, we have heard some evidence suggesting that Australian incident management, AIM, systems possibly need review. The committee is probably not very familiar with that, but maybe Mr Templeman could make some comments.

Mr Templeman—As we said in our submission, we did not feel it is appropriate that EMA make any comment on operational effectiveness or issues in relation to the response. I would have to say, though, in relation to the issue of the incident command arrangement that we have observed the context and the way in which fire authorities have been able to come together and work effectively in responding to fires over a number of years. If you go back in history, there were the tragedies that occurred in 1983, the issues that arose in 1994 in the major fires around Sydney and the extensive improvements that have taken place in relation to the way in which fire management authorities can come together and work very effectively as proven in the Sydney fire crisis in 2001. That involved New Zealand firefighters as well. The fact that our firefighters have been sought by our US counterparts to go and assist in August 2000 and last year to combat wildfires and things like that is some credit to the way in which significant improvements have been undertaken with regard to fire management and suppression arrangements within this country. In relation to our making a comment on improvements to the AIM system, I think there has been an ongoing improvement to the whole issue around incident and command management within the fire industry.

CHAIR—Based on some of the evidence that we have heard today and yesterday, some people might question that everything is A-OK. I just wondered whether you felt that EMA had a role, from a national point of view, in looking at these systems.

Mr Templeman—I think within the fire industry in Australia we have a very good body, the Australasian Fire Authorities Council, which certainly would be the body to address this if it were perceived that there were issues that needed to be addressed. As I said earlier on, I think that in the context of management and responding to fires in the past—12 months ago or 18 months ago at the end of the devastating 2001 fires in and around Sydney which involved fire authorities not only from New South Wales but also from Victoria, Tasmania and New Zealand—we were commending their initiatives in the way they came together and worked effectively to combat those fires around Sydney. In that particular case, the whole incident command arrangement worked exceedingly well.

CHAIR—Thank you very much for your evidence this afternoon and your submission as well. That concludes our hearings this afternoon.

Resolved (on motion by **Ms Ellis**):

That this committee authorises publication of the proof transcript of the evidence given before it at public hearing this day.

Committee adjourned at 5.04 p.m.